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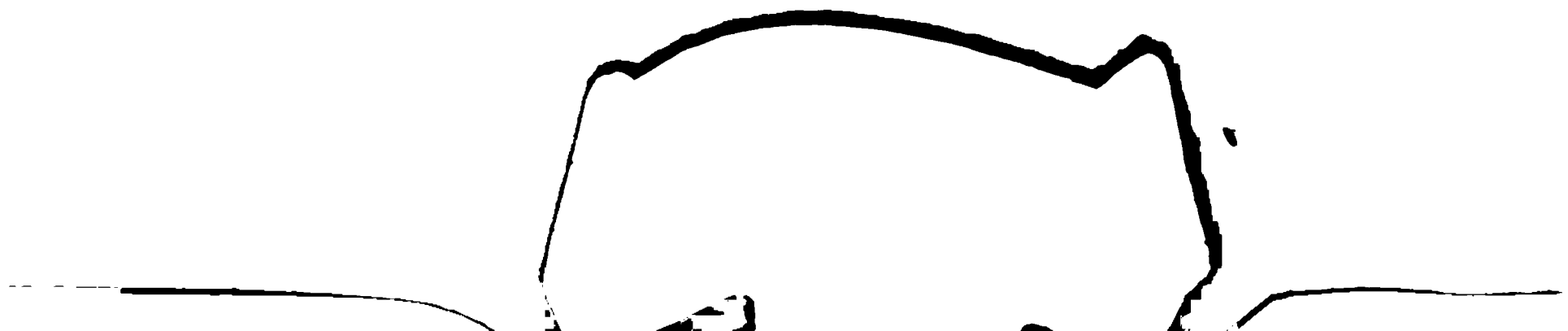

SELECT SPEECHES

OF THE

RIGHT HON. HENRY GRATTAN.

Grattan
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THE

SELECT SPEECHES

OF THE

RIGHT HON. HENRY GRATTAN;

TO WHICH IS ADDED

HIS LETTER ON THE UNION,

WITH

A COMMENTARY ON HIS CAREER AND CHARACTER.

BY DANIEL OWEN MADDEN, ESQ.,

OF THE INNER TEMPLE.

LONDON:

HENRY G. BOHN, YORK STREET, COVENT GARDEN.

MDCCCXLVII.

TILDEN LIBRARY
1895

PREFACE.

FEW things are more calculated to give pleasure to those interested in the welfare of our country, than the rapid progress which education has made amongst the people within the last few years.

In order to meet the demand for works on Ireland, it has been proposed to publish "The Irish Library," which will contain a selection from our classic orators and writers;—with original Memoirs of our most celebrated countrymen. The undertaking will also comprise re-publications of works meriting preservation, and difficult to be procured.

The editing of the various works composing "The Irish Library," has been entrusted to gentlemen of different politics, but who are united in love for their country, and in desire to serve her. Thus, though differing in many serious points from the eloquent writer of the interesting Memoir of Curran (published in this series) I have been glad to co-operate with those who have started the present undertaking.

In the Memoir of Grattan, prefixed to this volume, I have confined myself to indicating the growth of his character and genius, to commenting on the most important crisis of his life, concluding with a general review of his carcer, and with some plain remarks on the inestimable value of his example. I might have gone *seriatim* through all the facts of his life; but, within the limited space assigned to me, there would have been room for scarcely more than a meagre abridgment of his biography. The course I have adopted seemed to be more useful. Such a course was more

suitable to the plan of "The Irish Library," as it will enable those who may treat of Grattan's contemporaries, to select different periods for examination.

This Edition having been designed for the public, and not for students of oratory, I have refrained from extended criticism on Grattan's eloquence. The topic has been treated of by Lord Brougham, Sir James Mackintosh, the Rev. George Croly, the late Chief Justice Bushe, William Taylor (of Norwich), and by a host of other eminent persons. Upon a critical subject so beaten it would be impossible to grow a blade of fresh thought. In the following Memoir, therefore, I have principally regarded the man and his life, rather than the orator and his style.

The valuable edition of Grattan's Speeches (published by his son in 1822), has long since been out of print. It was very carefully edited, and I have freely availed myself of some of Mr. H. Grattan's prefatory notes. I have also to acknowledge my obligations to that gentleman's interesting life of his parent; but it will be seen that our views are not exactly in concurrence. In reverence for his father's memory, however, I believe all rational Irishmen of every party have long since been agreed.

February 3rd, 1845.

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A

MEMOIR

OF

HENRY GRATTAN.

Few things in the perusal of history, are more striking than the total dissimilarity in character of ages that closely succeed each other. In one country, and within the space of a single century, it is possible to observe a remarkable contrast between the successive passions and prejudices—tastes and manners of the same people. The English of the times of James the First and Lord Bacon, were as unlike their countrymen in the days of Cromwell and Milton, as these again were totally dissimilar from the contemporaries of King William and John Locke.—So also in the eighteenth century the dissimilarity between the age of Walpole and Bolingbroke, and the era of Pitt and Fox, was as marked as the difference in Irish politics between the days of Swift and those of Flood—between the times of Grattan and those of O'Connell.

When, therefore, we examine the character of any public man, it is absolutely necessary to consider closely the nature of that society in which he existed, and the influence of the passions of his age. A political leader is not like the poet or philosopher, who lead isolated lives, remote from the passions of their contemporaries. The existence of a public man is necessarily blended with that of the community at large; between him and the people around him there is an active reciprocating influence,

which is influential on the character of the leader as well as his followers. Of course, the really great public man is not the creature of his own times. If he were, his life would hardly be worth studying: but neither can he have a character totally at variance with that of his contemporaries. His life is a compromise between his own individuality and that of the public whom he strives to govern and direct. In proportion as he sympathizes with the aspirations of his own times, does he obtain present and popular authority; in the same degree as he rises superior to the transient prejudices of his age, and guides his course by general principles and exalted views, will he obtain posthumous fame. And in apprehending with intuition the exact confines between theory and practice—between the far-sighted views which reach to posterity, and those which regard the pressing claims of the passing hour—may be said to consist the art of all great and genuine statesmanship, as distinguished from the charlatanism, which, grovelling in the present, is sure to meet with the contemptuous oblivion of future ages.

It will be particularly necessary to keep these considerations in mind when we are estimating the character of the illustrious subject of the present memoir.

Henry Grattan was born in Dublin on the 3d of July, 1746. His father, James Grattan, was for many years Recorder of Dublin, and represented the city in Parliament from 1761 to 1766. His family was eminent and respectable, and more than one of its members was held in high regard by Dean Swift.

The mother of Henry Grattan was Mary, daughter of Chief Justice Marlay; and there are reasons for believing that (as in the case of other celebrated men) it was to his mother that our great patriot was indebted for his natural genius. The family of Marlay claims to be of the race of the De Merlys of Normandy; and if their physical appearance were admitted as evidence in support of the pedigree they exhibit, it would be readily conceded, that the Marlays were Norman in their origin. The immediate ancestor of the family was Sir John Marlay, one of the Royalists of 1640, and a distinguished officer amongst the Cavaliers. His son Anthony was captain in the Duke of Ormond's regiment in 1667, and settled in Ireland, where his grandson Thomas rose to be Chief Justice of the Queen's Bench. He was a man of talents

and literary accomplishments. He prided himself on being an expert swordsman, and a very droll anecdote is recorded of his having run an opponent through the body with a long sword, on which were stamped the Twelve Apostles! The wound was not mortal; and the Chief Justice, who was a man of humour, remarked that his adversary had "got the benefit of the trial by jury, and that *the twelve* had allowed him to escape!"

Chief Justice Marlay had several children, of whom the most eminent was Colonel Marlay, who distinguished himself at the battle of Minden. He was held in the highest respect by his celebrated nephew, who had recourse to his advice on more than one trying occasion. Another son of the Chief Justice was Richard Marlay, afterwards Bishop of Waterford. He was a man of lively mind and genial character. His intellect was highly cultivated, and he was held in deserved esteem by his contemporaries. Indeed, few families in Ireland could boast of a greater union of talent, learning, and virtue, than were to be found in the Marlays.

Young Grattan was sent to school to one Ball, who lived in Great Ship-street. At his very first school he gave a striking indication of the native energy of his character. On his master having subjected him to a degrading punishment, which he did not merit, the boy was so outraged that he insisted on his father sending him to another school: he was then sent to Mr. Young's in Abbey-street, where Anthony Malone and Hussey Burgh had been educated. At this latter school he was held to be a boy of great spirit, and in after times his schoolfellows loved to dilate upon the early development of his fine character.

In his eighteenth year he was seized with severe illness, which repeatedly returned to him at the most critical periods of his life. His physical organization bore little proportion to the remarkable ardour of his temperament. His body was rather a frail tenement for a spirit so eminently aspiring.

At this period of his life, his uncle, Colonel Marlay, appears to have discerned the character of his young nephew. In their correspondence the Colonel addresses Grattan in a tone more suited to a grown man than a forward youth.

In the year 1763, Grattan entered Trinity College, Dublin, where he became acquainted with John Foster—(afterwards

Speaker of the Irish House of Commons, and representative of the high Protestant National party)—Robert (afterwards Judge) Day—and John Fitzgibbon, afterwards Earl of Clare.

His most intimate companion was young Broome, who was not a member of the University. Their friendship seemed to have been based upon a community of taste and feeling. They had a strong love of poetry and rural scenery, and a decided taste for literature. It was odd enough that Broome was a military man; he was a cornet of horse when he made the acquaintance of young Grattan. The two friends became voluminous correspondents; and the letters of young Grattan to Broome are remarkably suggestive of the writer's character, and require particular notice.

Through all those letters, written in the twentieth year of his age, traces of the same style as that which he preserved through life are visible. In tone rather affected, they are uniformly artificial in their composition; they abound in expressions often incorrect, but often most forcible, and even picturesque. They are all formed on the model of style set by the letters of Pope, whose genius was much admired by Grattan. It may be needless to remind the reader that in 1765 (when we get the first samples of Grattan's style) Pope was regarded as *the* poet. Polished, clear, and artificial—seldom abandoned to enthusiasm—exhibiting more care in finishing, than genius in inventing; sceptical without impiety—and caustic without coarseness—the poetry of Pope, the bard of prudence, possessed a sort of complexional resemblance to the character of English society during the latter part of the lifetime, and for twenty years subsequent to the death of the author of the "Essay on Man." It was an age of modish town-bred philosophy; of manners elaborately artificial; of a certain conventional elegance, which was constantly aspiring after the Beautiful in taste, and as constantly violating in practice the principles of natural grace. It was an age of the Theatre—but the Drama was indebted to incomparable actors rather than to original authors for support. It was Garrick, and not Shakspere, who obtained the admiration of the town; and the Macklins, Mossops, Quins, were more thought of by an elegantly finical public, than the Massingers, Ben Johnsons, and Shirleys of the old English Drama. The manners of the time were

favourable to luxury rather than to enjoyment. The fine gentleman of that day aspired to an artistic refinement of manner, but never thought of attaining ease. The woman of fashion was all powder and *toupée*—hoops and high-heeled shoes. Everything was modish—artificial—and unreal. Even the pulpit partook of that character. The great divines of England were extinct, and a race of *petit maitre* prelates—of neat, shallow, sparkling, superficial preachers, occupied the places of the Barrows and Tillotsons of former times. The genteel had prevailed over the grand; the elegantly small was everywhere visible; and the sublime was nowhere to be seen in English life, save in one conspicuous instance—the great Lord Chatham, whose grandeur was heightened by contrast with the petty objects around him—like a forest tree amidst the shrubs of a trim suburban garden.

The character of that age (between the close of the Jacobite contest, and the American Revolution) had considerable effect on the mind and style of Grattan. Its effects on the development of his genius were decidedly injurious. The young orator was naturally given to emotion; his cast of mind was melancholy, poetical, and rather vague; he was besides eager, passionate, and withal reflective in his habits. He loved others intensely, and the warmth of his friendship was universally reciprocated. He delighted in wandering in the open country, and his love of rural scenery had the nature of a passion. He was also fitful—rather wayward—and subject to abrupt transition of feelings. On the whole the poetical element largely entered into his composition.

But never was there an age less favourable to the poetical spirit than the period (1766) when Grattan was attaining to manhood. Yet it so happened that the times influenced Grattan's mind, and accordingly we find that he restrained the expression of his natural emotions;—became modish, affected, and finical; gave up racy originality for striking affectation, and tortured his powerful genius into the painful adoption of unnecessary epigrams and fantastical antithesis. But his genius was too strong for him; the artificial culture on false principles which would have destroyed an ordinary mind, was only able to spoil but not to smother Grattan's splendid powers.

On a cool and critical contemplation of his original mind

and character, it may be fearlessly asserted that he was far more a poet, than an orator or statesman. It is confessedly admitted on all sides that he is the most poetical of orators ancient or modern. Nor does his failure in the poems he wrote contradict in any degree the theory now put forward—viz., that Grattan is to be considered rather as the poet of Irish political passion and national ambition, than as the statesman expounding her wants, and providing for her necessities. It will be found that the facts of his life, and the subsequent character of his eloquence go far to corroborate this mode of estimating his character.

In 1767 he became a member of the Middle Temple, and repaired to London, during the period required for eating his way to the Bar. When he arrived in London, it was but natural that so susceptible a mind would have partaken of whatever was most exciting in its nature, and accordingly politics soon aroused him. His glowing intensity of mind found an object for admiration in Lord Chatham, who was the idol of Grattan. The commanding powers of Chatham—his vast moral influence—his vivid, electrical eloquence—all these combined with his brilliant deportment to fascinate the young Irishman who became an habitual attendant at the Bar of the House of Lords.

Sorrow for the death of a sister whom he passionately loved, drove him from London, and in conjunction with his friend, Robert Day, he took a house in Windsor Forest. Here he led a desultory life, more congenial with the unsettled reverie of a poetical mind, than with the hard ambition of a politician. His ways it must be admitted were rather eccentric. The common part of mankind would have believed him out of his senses. He spent whole nights rambling about the forest—and delighted to lose himself in the thickest plantations. The scenery had all the charms of poetical association, besides its own natural beauties, to engage the cultivated mind and impassioned nature of young Grattan. He seems to have intensely enjoyed the liberty of wandering by himself through the forest, on the moonlight nights; now startling a herd of deer from their bed of fern, or anon losing himself in some shadowy thicket. During these poetical rambles, his mind we may be well assured was not idle, and the habit of indulging in poetical sensations, may be said to have coloured his whole existence. If he had in those days bravely

relied upon nature and given us his own sympathy with her charms, the world might have had some fine poetry. But the moment he came to write verse, he only could see with the eyes of "Mr. Pope." With an impetuous temperament and ardent imagination, he chose for his model a poet, whose style, admirably suited for a mind of keen social perception, was little suited for the rapturous expression of exquisite emotion. Instead of choosing a model congenial with his own mind, he selected one adapted for a totally different nature, and soon became disgusted with his attempts. He says of the productions of his muse—"that they are the efforts of her mind rather than the nature of it." But, in truth, the greatest poetical genius has often been destroyed, by the adoption of uncongenial models. Dryden would not be remembered by posterity, if he had continued to write rhyming tragedies on the French models; and would Walter Scott ever have been known, if, instead of pouring forth his inspiration in the picturesque form of the ancient ballad, he had written upon a severely dramatic model?

During his occasional residence in London, Grattan's mind was a good deal unsettled. He did not appear to enter into sympathy with the social character of the metropolis. Although very far from being a "puritan" in his habits, he was (unlike most Irishmen) not given to conviviality. His existence was comparatively isolated; nor did he shew any decided inclination to mingle with much company. In those times, society was more open to strangers than it is at present. Clubs were not established, and the men of letters—the actors—the gay and clever loungers upon town—were all to be met with at the fashionable taverns. The Grecian Coffee-house was at that time the favourite lounge for young Irishmen. But though Grattan occasionally visited it, he was not one of its habitual frequenters. He had an early *rencontre* there with the odious Duigenan. That person, on his first introduction to young Grattan, like a mean varlet thought that servility would ingratiate him with his new acquaintance. It so chanced that Recorder Grattan and the celebrated Doctor Lucas were political foes; and accordingly the sycophant Duigenan launched into vituperation of Lucas. But Grattan, to Duigenan's surprise, espoused the cause of the popular champion with considerable warmth. High words ensued, and Robert Day was apprehensive

of a quarrel on the spot. In the evening Grattan again repaired to the Grecian, with a long sword by his side; but Duigenan did not appear, though he wrote a comic poem on Grattan's droll appearance upon that occasion.

Of Grattan's habit of declaiming to himself numerous stories are preserved. His landlady in London wrote to his friends requesting that he should be removed, as he was always pacing her garden, addressing some person whom he called "Mr. Speaker," and she was in doubt of the sanity of her lodger! Judge Day records an anecdote of Grattan's having in one of his moonlight rambles in Windsor Forest, stopped at a gibbet, whose chains he apostrophized in his usual animated strain. He was suddenly tapped upon his shoulder, by a very prosaic personage, who inquired, "How the devil did you get down?"!

In 1768, Grattan's eldest sister was married to Mr. Gervase Parker Bushe, and a very brilliant circle of society was thereby opened to the young Templar. The county of Kilkenny was then inhabited by a very gay and spirited gentry, characterized not merely by their love of sport, but of refined and elegant pleasures. Private Theatricals were maintained amongst them with considerable spirit, and foremost in that joyous company was Henry Flood, with whom Grattan then for the first time made acquaintance. For the next four or five years of his life he led a very gay existence, and was a member of the most brilliant circles of Irish Society. He was naturally, like all Irishmen, very fond of the theatre, and he took a prominent part in the private theatricals of those days. He does not seem to have been well adapted for histrionic excellence. His manner was abrupt and violent; his nature too vehement and not sufficiently mercurial; his delivery disagreeable from a redundancy of uncouth gestures; and his voice without agreeable modulation. Indeed, from his acting, no one would have augured the presence of an orator. But Grattan was more deficient in the mechanical parts of public speaking than any orator of his age.

In 1774, at Marlay, the seat of the La Touche family, he acted in the Mask of Comus, in company with Hussey Burgh, Gervase Bushe, and *seventeen (!)* La Touches. The epilogue, spoken by Miss La Touche, afterwards Countess of Lanesborough (so celebrated for her beauty), was written by Grattan, and exhibits more social

liveliness than might have been expected from the tone of his mind. It contains some very nervous couplets:—

> But why choose COMUS?—COMUS won't go down;
> Milton, good creature! never knew the town.
> Better a sentimental comedy,
> That leads the soul unconsciously astray—
> Where, about good, fierce rakes are always ranting,
> *And fond, frail woman so divinely canting—*
> *And sweet, sad dialogue, with feeling nice,*
> *Gives flavour and variety to vice!*

The state of Grattan's mind during the first years of his manhood, may be imagined from one of his early letters to his friend Broome. He writes of himself in the following terms:—"A breast the slave of a thousand discordant passions; now intoxicated with company—now saddening in solitude; sometimes disturbed with hope—sometimes depressed with despair, and equally ravaged with each; disgusted often, and often precipitately enamoured—all this makes me poor in my own esteem."

From the time that he had first become a Templar, up to his thirtieth year, he lived a great deal in London; and as he increased in years, he appears to have acquired considerable relish for the public amusements of the metropolis; he was naturally fond of music, and his ear was most susceptible to the beauty of cadence. The Italian Opera was one of his great enjoyments; and whenever he was not indulging in meditation, he was either listening to some Italian syren, or intently watching the course of politics in the Houses of Lords and Commons. In fact, with all his moodiness, and wayward impulses, he appears to have led a most delightful existence, and gradually to have become a more brilliant and accomplished man of the world, than might have been anticipated from one who had lived in self-imposed seclusion. His acquaintances might have taken him for an idle man, but the "*strenua inertia*" of Grattan was not to be confounded with the habitual indolence of a loitering dandy. He read many of the first-rate authors with attention, and the text-writers on politics appear to have been studied by him with much care. By study and observation he became well qualified to offer an opinion in grave matters, his discernment of character was generally correct, and his descriptions of men and things were

vivid and characteristic, though tinged with his singular mannerism. The reader must be referred to his correspondence with Broome and others, for many suggestive traits of his character.

Few circumstances, however, had more effect on the life of Grattan, than his close intimacy with the famous Henry Flood. It will be necessary to mark this acquaintance, which was attended with very important results.

In the year 1770, and thereabouts, Flood was unquestionably the first man in Ireland, possessed of public fame. By birth and property he was amongst the first Irish Commoners, and by character he was raised above them all. He may have had his equals in talent, but there was, from his first entrance to public life, a decided moral purpose in Henry Flood. He was bold, intractable, austere; ambitious both of power and popularity, and though "a candidate for contradictory honours," in the main he contrived to make his personal ambition subservient to his patriotic purposes. He was the first Irishman who obtained a reputation as a great parliamentary leader. In mere debating talent he was equalled, if not surpassed, by John Hely Hutchinson; but this latter person, with all his accomplishments, was a mere conventionalist—a courtier by his tastes, and a waiter on providence by profession. Flood was, however, a man remarkable for much moral enthusiasm, and ardent attachment to Ireland. Throughout all his life he laboured to raise his native land.

Intimacy with such a man as Flood produced great effect on Grattan. Previously he had been merely a lounging politician—a *virtuoso* in matters of State importance. He had surveyed public questions from too remote a position, to share in their excitement; but he appears to have become an eager politician, from his intercourse with Flood. The brilliant success which Flood had obtained, as a public speaker, joined with his popularity and fame, naturally had effect on Grattan, who had been distinguished by Flood, in social intercourse, with a most marked complimentary attention. They read together a great deal; declaimed with each other, and acted in the same plays. In short, their personal friendship soon ripened into political sympathy.

In this brief memoir the writer cannot diverge into a general narrative of the Irish politics of the last century; yet it is hardly possible to understand the career of Grattan without compre-

hending the state of politics when he entered upon the public stage. Hence a few additional words upon Henry Flood are absolutely necessary.

In the progress of Irish Protestant Nationality, or Irish Legislative Independence, five persons chiefly attract the notice of the political historian. These are, first, Molyneux, who in his "Case of Ireland" impeached the legal authority of British Legislative power in Ireland; secondly, Swift, who created an Irish feeling amongst the English interest planted in Ireland, and by his mingled wit, public spirit, and literary talents, diffused Irish sentiments; thirdly, Doctor Lucas, who, imbibing the sentiments of Swift, practically asserted and maintained the legal principles of Molyneux; fourthly, Henry Flood, who first raised an Irish political party, on principles analogous to those on which the rival parties in England have been founded; and lastly, Henry Grattan, the most splendid and dazzling, though some have thought not the most politically effective of them all.

Of Molyneux and Swift it is needless to speak. Of the importance of Lucas in Irish politics, it is enough to say, that after having maintained the principles of Irish Independence, he was prosecuted by government, and compelled to quit Ireland, after which the House of Commons voted him to be an enemy to his country. The great Johnson honoured him after the following fashion, in a review of some medical publications of Lucas:—"The Irish ministers drove him from his native country, by a proclamation in which they charged him with crimes, which they never intended to be called to the proof, and oppressed him by methods equally irresistible by guilt and innocence. Let the man thus driven into exile for having been the friend of his country, be received in every other place as a conferrer of liberty; and let the tools of power be taught in time, that they may rob, but cannot impoverish."

The first movement measure, which gradually led to Irish Independence was the Octennial Bill of 1768, and the original steps which led to that measure were, in the opinion of Lord Charlemont, due to the influence of Lucas. It has been said of him that "he raised his voice, when all around was desolation and silence. He began with a corporation, and he ended with a kingdom." So much for the influence on politics which a virtuous and courageous citizen can obtain.

Flood's great public effect on Irish politics was from 1761 to 1770—during the successive Viceroyalties of Lords Halifax, Northumberland, Weymouth, and Townshend. In those times he raised a powerful opposition party—a sort of national opposition, intended as a lasting depository of fixed public principles—which "should not fluctuate with the intrigues of the court, nor with capricious fashions amongst the people." Previously, the British minister had been encountered in Ireland by a desultory opposition. The technical hostility of a Molyneux he did not fear, and the powers of a Swift could not be handed down to posterity with his principles. The order to which the Lucases belonged necessarily cramped the extent of their social importance, though it could not forbid the exercise of their abilities. And the opposition offered to government by the Boyles, Ponsonbies, and Fitzgeralds, was of a personal character, and not of a public importance; in objects, factious, and in results, futile.

But Henry Flood laid the basis in Ireland for a hereditary parliamentary opposition. He may have been very inconsistent with his own principles—that is a matter of dispute, but it is matter of certainty that he founded an enduring Irish party, which, aided by events, and the genius and patriotism of Grattan, obtained the legislative freedom of Ireland. Flood rallied to his political standard some of the first commoners in the country. He gave to his principles the advantage of aristocratic support. He proposed broad measures, in which all the public took interest, and labouring to make parliament *tell* upon the nation, he also sought out of doors, to make popular influence react upon the House of Commons. If Lucas had the merit of starting the claim of an Octennial Bill, Flood had the honour of advocating it with great oratorical power, and of wringing it from the administration of Lord Townshend in 1768. On two other public subjects of first-rate importance, he was strenuous, able, and convincing. These were—the permanent erection of a constitutional military force in addition to the standing army—a kind of national militia; and the third subject to which he applied himself was the exposition of the law of Poynings, on which he maintained the principles of Molyneux.

These questions were treated by Flood with great ability; and he acquired considerable popularity by his vigorous opposition

to the Townshend Viceroyalty. But, in the succeeding Harcourt Viceroyalty, Flood, to the surprise of his party, consented to accept a Vicetreasurership, one of the principal State Offices at that time existing in Ireland. He complained that he had been betrayed by many of his friends; that they had deserted him in his most important movements; and roundly asserted that he could serve his country more effectually in office, than out of it. He maintained that the Irish patriots could do nothing without power—that power in Ireland depended on office, because the influence of the crown was so great, that it was not possible to oppose it effectually, and the only way to serve the country was in office. It may be added that the Harcourt Administration was a very different one from Lord Townshend's—and that Flood appears to have made his office useful to the public. Posterity has acquitted him of having acted from mean or paltry motives.

A constructive view has frequently been taken of Flood's career, in which it has been dexterously urged that the honour of the Revolution of 1782 belongs as much to Flood as to Grattan. But such an opinion, however ingeniously supported, is preposterous. A Revolution of that nature could not be conducted by one man, and its honour carried off by another, in the face of a whole nation. The voice of that age—the tradition of posterity—and historical examination of the period—all concur in indicating GRATTAN as *the* man of 1782. Nevertheless, it is matter of certainty, that Flood produced vast political effect in favour of Ireland, previous to the entrance of Grattan into parliament. Indeed, it is not improbable, that the great success which Flood obtained in working the Irish cause, induced Grattan to look to the Irish parliament as the scene of his labours. He was not fond of Dublin society, and possibly dreamed of entering the English House of Commons. But Flood seems to have sucked him into the vortex of Irish politics. In *Baratania*na Grattan wrote several pieces (amongst others his celebrated character of Lord Chatham); and, in fact, he was one of that party of which the ostensible leader was Henry Flood. In short, to sum up in a sentence, the influence of Flood upon Grattan appears to have been of this nature—viz., to determine Grattan's mind strongly towards Irish politics—to give him the notion that something great might be done in Ireland—and that

a man of powers might win an European name on the comparatively restricted ground of Irish politics. The example, rather than the teaching of Flood, suggested to Grattan what he himself might do.

Thus far have we traced the early development and formation of his personal character. We see that originally he was of a poetical nature, and that his affections were of exquisite sensibility. His passionate love of nature—the vagueness of his early purpose—his wayward moods, reveal to us much of his interior structure. A certain lofty mien is also visible in his youthful character. We see also how he contracted the mannerism which adhered to him to the last, and how much influence was produced on him by the age in which he was educated. Other things also attract our notice. These are his exchange of poetry for politics, and the fascinating influence of the great Chatham, whose sublime and soaring eloquence appears to have made Grattan feel that the career of a mighty orator was as grand as the rapturous existence of a poet. And lastly, we perceive, that if his style was influenced by the last century in England, and by the oratory of Chatham, that his purposes were materially affected by the career of Henry Flood. But if Pitt helped to make him an orator, and if he were partly trained into politics by Flood—in eloquence or statesmanship Grattan was the copyist of neither. He was eminently original, as we will clearly observe in examining his public and historical career, to which we will now proceed.

The public life of Grattan naturally resolves itself into two periods—from 1775 to 1800, in the Irish Parliament, and from 1801 to his death in 1820. His political course in the Irish Legislature may be examined under three heads, viz.: I. From his entrance on the public scene till the conclusion of the Revolution of 1782. II. From 1783 to the declaration of war against France. III. From 1793 to the Union.

I. On the 11th of December 1775, he took his seat in the Irish House of Commons, as member for the borough of Charlemont, to which he was nominated by its noble owner. At that time Grattan was very well known in society, and his reputation for ability and eloquence was the cause of his introduction to Lord Charlemont. With that nobleman he continued to act for

many years, and though their friendship was terminated abruptly, their respect for each other was not diminished. Lord Charlemont was more fitted to be the ornament of any cause than its support. He was a most amiable and worthy private character, but for the conduct of great affairs he was little suited. His historical reputation rests on his connexion with the party that brought about the events of 1782, and his claim to the gratitude of Irish posterity depends on his having given a conspicuous example of an Irish nobleman, with ardent local affections —a love for the people of his native land, and a desire to raise its honour and celebrity amongst nations. Of the liberal and useful arts, he was a munificent patron and judicious supporter; with men distinguished for talent and probity he delighted to associate; his mind and manners proved the humanizing and elevating influence of the intellectual pursuits which he cultivated with ardour. His character has been as ridiculously exalted by the idle panegyrists of his own times, as it has been unjustly depreciated by harsh censors of our own days. He was an Irishman by affection, as well as by the accident of birth, and despite that, he was born and bred amongst the aristocracy, had a heart for his country. So let us qualify the adulation of which he was the object during his life, and mitigate the censure which has been often passed upon his memory.

But Lord Charlemont was not a statesman in any sense. He had not even the secondary accomplishments required by one who aspires to manage great affairs. He was a miserable speaker, and was a weak, though elegant writer, on political matters. He wanted breadth of view—boldness of character—and energy of constitution. The nervousness of his physical system attacked his mind, and weakened his moral resolution. Nevertheless, his association with Grattan was attended with most important consequences to both of them: for they were men peculiarly necessary to each other. Lord Charlemont gave to Grattan the great advantage of political connexion, in return for which he received an alliance and support of the most gifted intellect in the country. There was no Charlemont party in Ireland, until Grattan called it into existence; and the party which is to be honoured for the success of the Revolution of 1782, and which by many is held responsible for the subsequent

failure of that political experiment, dates its formation from the appearance of Henry Grattan in Parliament.

No time could have been better chosen for his entrance to the House of Commons. Flood had become silent and *quasi*-ministerial, and though there was a host of talent in opposition, its leaders were rather desultory in their mode of warfare against the ministry. Many things contributed to render the Irish cause dangerous to England. The contest of the Americans with the mother country; the decided hostility of the French and Spanish houses of Bourbon: the distracted state of England during the government of Lord North: all these combined to make any Irish party formidable to the British power. But in addition to these sources of trouble, the Irish cause was in those days particularly to be feared from the peculiar sources of the Irish discontent then prevailing. Hitherto, the battle between England and Ireland had been upon the point of honour, (as far as the latter country was concerned); but, in addition to old and transmitted causes of feuds, the struggle between the countries on the appearance of Grattan was fiercer, because the trading interests of Ireland were grossly depressed by the monopolizing policy of England. The British manufacturers and their representatives in Parliament cared just as much for the interests of Irish Protestant traders, and Irish capitalists, as the English peers and Anglo-Irish absentees for the Roman Catholic families who had lost all their estates at the Revolution. For in all countries and in all ages national ambition is little affected by sectarian sympathy; it is at once the most selfish and impartial of the passions. Confession of the same creed will never restrain a powerful empire from striking down its weaker rival.

The Protestant traders and manufacturers of Ireland desired Free Trade as a means of extending their commerce, and emerging from their depressed condition—but they were told that their wishes could not be granted because the British Parliament was supreme. The Protestant gentry of Ireland were ambitious of a nobler theatre of exertion, where they might obtain power and fame—but they were told that their Irish Houses of Lords and Commons should remain a degraded provincial assembly, because the British Parliament was supreme. Mr. Flood and his friends, who had desired to govern for Irish purposes, were told that their

suggestions could not be adopted because the British Parliament was supreme. Whether propositions in favour of Ireland were made by the friends or foes of the ministry, the answer was, "Impossible! The British Parliament was supreme."

The English minister of the time was Lord North, opposed by the Rockingham party—by the Shelburne interest—by Charles Fox—and, greatest of all, by Edmund Burke. In Ireland, the Lord Lieutenant was Lord Buckinghamshire, a man of notable political talents, who had acquired distinction as a diplomatist. His chief secretary was Mr. Richard Heron, who had been selected for that post, because he had been law agent and manager of Lord Buckinghamshire's estates. He was the nominee of the Lord Lieutenant who had chosen him as his creature, and for his own convenience.

Meantime the Irish Opposition plied the administration with various measures, and attacked the British government in all directions. The law of Poyning's (involving the whole question of Irish right to govern itself,) was discussed in a surpassing style of legal ability by Yelverton: the iniquities of the Penal Code against the Catholics, were denounced by Mr. Gardiner and Sir Hercules Langrishe: Mr. Gervase Bushe applied himself to the question of an Irish Mutiny Bill (involving the existence of the Volunteer force): Mr. Brownlow and the celebrated Denis Daly attacked the supremacy of the British Parliament. Events favoured their exertions. The government of Lord North was an "Iliad of blunders." General Burgoyne's army had surrendered to the Americans—on all sides England was menaced with danger.

Still there was something wanted to make the Irish question more formidable. The constitutional quarrel with England had been of a character, not altogether uncompromising, and very litigious in its mode of procedure. The question hitherto had been like a wrangle between a colony and the parent state. There had been little in its nature that was grand and aspiring. Its domestic sources were physical misery, manufacturing discontent, and a sense of many local wrongs. But there was now about to be flung into the political caldron, an ingredient of magic influence for exciting the most violent commotion; and the wizard was to appear, who by the spell of a passionate and romantic elo-

quence was to disenchant Ireland of its moral subservience to England, and make her aspire to political independence, and national fame.

The Irish feeling of nationality, which had been appealed to by Molyneux, Swift, Lucas, and Flood, was of a character rather negative. Their patriotism, in its style, was little coloured with the sentiment of country. They seemed as if they had resolved not to be English, rather than to be positively Irish. There was little in the fashion of their writings or eloquence that could be esteemed as distinctively national. There was no traditional feeling roused by them, and indeed on a close examination of their speeches and writings it would be difficult to discern the vestiges of genius "racy of the soil." Flood's oratory flowed in that style most affected by British parliamentary debaters. There was too much of the spirit of a common councilman in the speeches and tracts of Lucas, and Molyneux was legal and didactic. Swift, indeed, exhibited abundance of the humour that one looks for in an effective popular writer on Irish matters, and occasionally displayed genuine pathos. But who could have assimilated the writings and speeches of those men with the national character of the Irish people? Where can we find in the political writings of the Dean of St. Patrick's that genial nature, and sensibility to emotion—in short, the enthusiasm of the Irish? The Swifts and Floods had been most useful to the Irish in the work of resistance, but there was not enough of creative political genius in their public manifestations. The pile which they had raised would, perhaps, never have been wrapt in flame from the combustibles which they applied. A more subtle and brighter element, than they had thought of, was required.

Now, while the Irish Opposition was teazing Lords North and Buckinghamshire with the harassing methods common in ordinary political warfare, Henry Grattan was musing by the banks of the Liffey. The old and natural character of the man had broken out. He who had wandered through Windsor Forest, meditating on the dryads and fawns of the sylvan scene, was now in early manhood transformed into the patriot reflecting on Irish regeneration. His excellent uncle, Colonel Marlay, then lived at Cellbridge Abbey; and there, in the bowers of Va-

nessa, Grattan meditated on creating the political independence of Ireland. In those very bowers, where

> the stern satirist, and the witty maid,
> Talked pretty love, nor yet profaned the shade,*

the regenerator of Ireland mused upon the liberty of his native land. He was perfectly true to his disposition—the imaginative and romantic prevailed in the development of his mind. He was bent upon doing something great and glorious, which would transmit his name to remote ages. He was not satisfied with the proceedings of the Yelvertons, Bushes, Dalys, Brownlows, and others of the principal leaders of the Irish party. He thought something bolder, grander, and more aspiring was necessary—in short, he believed that the freedom of Ireland was to be obtained.

But to venture upon declaring the independence of Ireland, was a bold measure. There were many unprepared for a scheme so full of risk and uncertainty. Those who held the property of the country were afraid of all political convulsion. And there was a large portion of the timid, hesitating public, not in favour of measures, which the originators called "bold," and which many thought desperate. Still, however, there were circumstances peculiarly favourable to the policy which Henry Grattan was about to unfold.

Foremost amongst those circumstances was the existence of the Volunteer force, a body which had been originally marshalled for the defence of the country against continental invasion, but which it was evident might now be turned against the British power. The Volunteers had originally sprung up about 1777. A large corps of them had been assembled at Armagh by Lord Charlemont, who in spirited style had placed himself at their head. Those troops, curiously enough, had been banded together after application to the government for military assistance. But the secretary, Sir Richard Heron, declared that government could render no help. In such a state of affairs a Volunteer force was rapidly raised; a military ardour seized on all classes, and the gentry marshalled in the same ranks with the traders of the country.

* From lines addressed to Dean Marlay, from Grattan's pen.

The presence of such a force greatly aided the objects of Grattan. The plot began to thicken, and the English government gradually became more embarrassed day after day. Throughout the whole island the Volunteers had sprung up—a a vast army—equipping themselves, and nominating their own officers. The Opposition, in the meanwhile, did not relax in its exertions. In the session of 1779, Grattan moved an amendment to the address in favour of Free Trade. Upon his motion, Hussey Burgh, a man of brilliant talents and upright character, moved a direct resolution that "nothing but a Free Trade could save the country from ruin." The motion of Burgh was carried without opposition.

England determined upon a change of Irish rulers, and sent over the Earl of Carlisle in place of Lord Buckinghamshire, and Mr. Eden, (afterwards Lord Auckland), in place of Sir R. Heron. The latter change, so far as regarded the British interests was decidedly for the better, as Mr. Eden was a remarkably clever man—shrewd, sagacious, and observant. But it would have been a difficult matter for any ministers to have repressed the advance of the Irish party.

Meanwhile, Grattan resolved to assert, by a resolution in the House of Commons, the right of Ireland to legislate for herself. Most of his friends and party, dissuaded him from the project. He was not, however, to be turned from his purpose, and his imagination was excited by the glowing hopes of giving freedom to his country. He has himself said, "Along the banks of the Liffey, amid the groves and bowers of Swift and Vanessa, I grew convinced that I was right. Arguments unanswerable came to my mind, and what I then presaged confirmed me in my determination to persevere."

On the 19th of April, 1780, he made his memorable motion of a declaration of Irish right. His speech upon that occasion was the most splendid piece of eloquence that had ever been heard in Ireland, and it vies with the greatest efforts ever made in the English House of Commons. He argued the whole question of Irish right with great ability—setting forward the most convincing proofs of its justice—but, in that department of the subject, he might probably have been equalled by more than one of his contemporaries; in what he surpassed them all, was the

superior splendour of his style, and the impassioned vehemence of his spirit. He not merely convinced, but he dazzled and inflamed. A great part of his audience caught the fire of his enthusiasm, and when his speech was circulated throughout the country, the effect was prodigious. The mind of the country felt that it was addressed in a style congenial with its own character. The enthusiasm and imagination of the speaker was warmly sympathized with by tens of thousands.

The great success of his splendid effort was to be principally attributed to his invoking the soul of the nation. He raised the spirit of the public far beyond the height to which his predecessors had carried it. Swift made the Irish sore, dissatisfied, angry;—but Grattan, in moving for Independence—introduced into the public mind, a feeling of glowing, impassioned patriotism. Swift had often cast his contemporaries into fits of political wrath; but Grattan made the quarrel with England a subject of sublime moral emotion amongst his countrymen. He did not so much push the question of Irish freedom beyond the principles asserted by Molyneux, and laboured for by Flood, as raise it into a loftier region of thought and sentiment. With bold and masterly hand he sketched a brave design of Irish liberty, and coloured the picture with the hues of his own impassioned fancy.

Nor was he merely superior to those patriots, who had toiled before his time, in the brilliancy and splendour of his imagination. His character was less insular, and his intellect less hampered with provincial modes of thought. If he was an Irish genius, he had given his mind an European education; and with the writings of the philosophers, who for good and evil affected the eighteenth century, Grattan was intimately conversant. Amongst his contemporary statesmen, he ranked next to Burke, in knowledge of the speculative writers who have treated of human nature, and of Man in society. Inferior to Charles Fox in acquaintance with the details of historical transactions, and with the beauties of polite literature—Grattan was incontestably superior to his English Whig contemporary in profound and valuable philosophical accomplishments. For Fox* had the English dislike to

* According to Sir James Mackintosh, the three works which have most influenced the politics of modern Europe, are "De Jure Belli et Pacis" (Gratius);

all speculation that is abstract, and remote from immediate application to affairs; Grattan, on the other hand, loved to soar into those realms of thought which have been explored by the metaphysical politicians.

The influence produced on Irish affairs in 1780 by such a man as Grattan, it is easier to conceive than pourtray. Space is wanting in this memoir to enumerate all the effects of which he was the producer; but briefly it may be said, that at the conjuncture of Irish politics during the latter years of Lord North's government—Grattan was hailed by his countrymen as the prophet of Irish redemption. He became a popular idol, and the object of the enthusiastic affections of the people, who invested him with a popularity and applause, eclipsing the fame of all his contemporaries in the Irish Parliament. As Grattan introduced into Irish affairs an element of lofty moral enthusiasm, springing from his own impassioned and romantic mind, so was he in turn acted upon by the ordinary public passions of those around him, and in but a few months from his first motion for Irish independence, he reached the giddy and dazzling height of being recognised before the world as *the* man, who impersonated the cause of Ireland.

The cause of Ireland! Words of singular significance, fraught with historical recollections of deep interest, and still portentous to all English and Irish minds which reflect upon the future government of these kingdoms. If ever that cause was to have died away, it ought to have been in the middle of the eighteenth century. Many of the old sources of Irish hatred to England were extinguished. There was no religious quarrel to exacerbate the Irish feelings, for the Catholics crawled on without political existence, without civil rights, or even the hopes of gaining freedom. There was no question of disputed succession, for the Jacobite contest was at an end. The right to property was acknowledged to lie in the Protestant proprietors. The

Adam Smith's "Wealth of Nations"; and Montesquieu's "Spirit of Laws." The second of these great works was never read by Fox, and he considered the last of them full of nonsense. The fact was, that the mode of his mind did not suit the study of such treatises: his understanding was powerful and sagacious, rather than acute and subtle, better fitted for appreciating the actual and historical, rather than examining the abstract and speculative. He would probably have applied to Metaphysicians, what a celebrated scholar said of the Basque people: "It is asserted that they understand one another, but I do not believe it."

Houses of Lords and Commons were Protestant, and their members professed political adherence to the principles of the Revolution of 1688. In short, one would have supposed that the country was assimilated with England, and that they formed the same political power. After the total downfal of the Catholics one might have thought, that England was never to hear again of the Irish nation. And yet the cause of Ireland, as a nation distinct from England, was never stronger or more prosperous than in those very times, when (without any Catholic assistance) the Protestant and Anglican inhabitants of Ireland proceeded to demonstrate the existence, and vindicate the undying principles of that old historical quarrel. "Nation," says the profound Burke, "is a moral essence, and not a geographical arrangement, or a denomination of the nomenclator." That essence of nationhood was as intensely existing in the Protestants of Ireland, as in the Catholics whom they had trampled into dust. Time had only changed the champions of the cause of Ireland; the historical strife was continued with unabated ardour by the Protestants.

One cannot pass those times without remarking, that much of Grattan's force in Irish politics was to be attributed to the conformity between his mind and the genius of his countrymen. He may be considered as the first great representative of Irish eloquence, and though Burke possesses the superiority as a statesman, Grattan carries the palm as the greater orator. The eloquence of Burke in the British senate has often been characterized (and with justice) as *Irish* oratory. Indeed, any one that consults the English ministerial writers who drudged in the service of George Grenville, may be amused by the mode in which they attack Burke as an Irishman. But Grattan was not (as many have idly said) a pupil of Burke in oratory. His style was far more dramatic, more startling, more picturesque, and much less prolix. It was not prone to run into dissertation, and was always calculated to move the passions, while it appealed to the judgment of the audience. As a public speaker, it must be confessed, with all admiration for his intellect, that Burke was frequently wearisome. His speeches were made to be read, and not to be spoken. But Grattan contrived with singular genius to be always original—generally profound, and never tiresome.

It would be a trite subject nowadays, to enter into the critical merits of the eloquence of those great men who illustrated the close of the eighteenth century, but it may be enough here to say that Grattan was original and creative, and was the tame follower of no man in his eloquence or politics. He was *himself* at all times.

Amongst the moral qualities that we can trace as having contributed to Grattan's vast public success, there was one deserving particular notice.

He appears to have had more vigour of *will* than most of his patriotic contemporaries. His physical and moral courage were of a very high order. Even when he was most dispirited, and shattered in his physical frame, he seemed to have retained a certain fierce audacity of spirit, which rather courted danger than shrunk from it. Indeed, if one may be permitted to criticise his personal courage, it had too much of the dare-devil. Though brilliant, cultivated, and polite, there was a latent audacity in his character, which made him formidable even to the execrable bullies, who then infested Irish society. At that time the ferocious and blood-thirsty principles of the "Fire-eating code" were recognised in Irish society, and to those principles Grattan lent all the influence of his example. His position in Irish politics was in some respects rather singular. Without great property, or very high social connection, he affected to lead the Irish parliament. In any age of Irish history, no other Irishman of the same moderate social pretensions, aspired to such a leading part as Grattan. To play that part—the Chatham of Ireland—required no ordinary resolution. Mere political genius—or proficiency in parliamentary eloquence would not have sufficed. A vigorous will, and capacity for self-assertion, were required; and with those qualities Grattan was eminently endowed.

It is the province of the historian, and not of a commentator, to detail the events of the Irish Revolution of 1782. It is nough here to remark, that though the thought of Irish berty did not proceed from the Volunteers, yet unquestionly the ideas were realised only by the means of exhibiting ce. Everywhere throughout the island, the public spirit s wrought up to extraordinary excitement. Indeed the

political proceedings of the years that immediately preceded 1782, chiefly consisted in the enlistment, and frequent reviewings of the Volunteers, who had chosen Lord Charlemont for their General. The Volunteers became, if not *de jure*, at least *de facto*, a national standing army; they assisted in the maintenance of public order, escorted the Judges of Assize, conveyed prisoners to gaol, and moved from place to place. The first noblemen of the country were at their head: in the North, Lords Charlemont and Erne; in Connaught, Lord Clanricarde; in Munster, Lords Kingsborough, Inchiquin, and Shannon, commanded large bodies of an armed militia, which existed without the concurrence of the Crown. Yet neither morally or technically could disloyalty have been imputed to them. They were not Republicans, like the insurgent Americans: with the exception of a few corps in the North, they had as little of the anti-King feeling in their composition, as they had of the irreligion of the French Revolutionists. Their intensity was Irish, and not democratic; their purposes national, rather than convulsive. They aimed at a re-distribution of political power within these islands; but, unlike the Revolutionists of France and America, they did not embody ideas calculated to spread through society, and influence the moral character of mankind. Considered discursively, their political principles were those of the Revolution of 1688: their leaders did not differ from those views of political liberty entertained by the English Whigs. They put forward doctrines which came under the ban of an Imperial rather than a social Alarmist, and rendered themselves obnoxious to the authority of a William Pitt, representing English will and administering the British empire; rather than to the moral censure of a Burke, philosophising upon politics. It cannot be too distinctly maintained, that whatever moral power was in the Volunteers and their leaders, was derived from a national source. The "moral essence" of nationhood was their vivifying spirit.

For uttering the feelings of such a party Grattan was exactly the man required. He had an enthusiastic passion for Ireland, and at the same time he desired connexion with England. He was himself what is called in politics, "a Whig of the Revolution," equally opposed to the Absolutism of the Tory, or the Ultra-Liberalism of the Radical. He was a stanch enemy of Lord

Chatham's great bugbear, "the House of Bourbon." He did not wish that the British power should diminish (except in Ireland), for then Europe would have been at the mercy of France. He wished that Irish society should be moulded into the same form as that existing in England, but that its colour should be Irish, and its spirit "racy of the soil." He desired that Ireland should have a nationality (moral and historical) distinct from that of England; but he placed bounds upon its political ambition. He would have had Irish manners, Irish traditions, Irish affections, Irish literature, Irish art; but he would not have had an Irish Sovereign, except in conjunction with England.

This is not the place to examine whether such ideas could ever be permanently realised: it is not within the narrow limits of this memoir, that we can examine whether such splendid aspirations for objects apparently contradictory, ought to be called *ideas*, or whether they were the phantoms of a poetical fancy kindled by a patriotic heart. Be it enough to say here that they were Grattan's views on Ireland; they were the aspirations of the Irish Statesmen of 1782; but they were as totally distinct from the ideas subsequently put forward by Theobald Wolfe Tone, as from those of Lord Castlereagh. Grattan was the *national Whig* of Ireland, and thus in politics he must be judged.

After the country had been thoroughly roused by Grattan and his friends, it was evident that war should soon take place with England, unless the Irish claims were conceded. The Volunteers held their famous meeting at Dungannon, on the 15th of February, 1782, and the celebrated Resolution, drawn up by Grattan, was passed unanimously:—"Resolved, that a claim of any body of men, other than the King, Lords, and Commons of Ireland, to make laws to bind this kingdom, is unconstitutional, illegal, and a grievance."

The next resolution, directed against Poyning's Law, originated with Flood. But there was a third resolution, started by Henry Grattan, that made less noise at the time, but which must not be forgotten: it was one in favour of the oppressed Catholics, and ran in the following terms:—"Resolved, that we hold the right of private judgment in matters of religion, to be equally sacred in others, as well as in ourselves; that we re-

joice in the relaxation of the Penal Laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and prosperity of the inhabitants of Ireland."

These resolutions spread throughout all Ireland, and were adopted not merely by shouting thousands, by assemblages numerically formidable, but by armed regiments of Protestants and owners of the soil, and by the Grand Juries assembled at the Assizes. What never before (or since) was seen in Ireland, then took place—namely, unanimity amongst all parties and creeds in the cause of their common country.

In the spring of 1782, the Ministry of Lord North fell amidst universal unpopularity. Lord Rockingham, after some delay, was made Prime Minister, and all the sections of the Whig party became united. Fox and Lord Shelbourne were made Secretaries of State; Burke was appointed Paymaster of the Forces; the Duke of Portland was appointed Lord Lieutenant of Ireland, and Colonel Fitzpatrick was made Chief Secretary. The new Lord Lieutenant was a shuffling, vacillating, insincere nobleman, of much infirmity of purpose, but not destitute of low cunning.* Fitzpatrick, the Chief Secretary, was a spirited and accomplished person, of open and manly character, and well deserving to be popular. But though British interests were served by the dismissal of Lord North from power, the new Government found hopeless difficulties to contend with in Ireland. There were not five thousand of the King's troops in the island, and there were nearly one hundred thousand Volunteers, filled with a passion for liberty, whose hopes too had been long deferred, and who eagerly demanded their freedom.

In such circumstances, Charles Fox, the principal man of the new Whig Government, determined to see what skilful diplomacy might accomplish. He saw that there was nothing to be done, except to resist the Irish by arms, or to master them by policy, and he was not without hopes of doing the latter. For that purpose he resolved to gain time upon the Irish leaders, and trust to the providence of events for giving him some means by

* This character of the Duke of Portland receives painful confirmation from the recently published memoirs of Lord Malmesbury.

which he might save England from the concession of liberty to Ireland. For both he and Edmund Burke considered the Irish claims as most dangerous to England.

And it is not to be denied that Fox was very near triumphing over the Irish leaders; in fact, he would have done so but for Henry Grattan. The English Whig Government had numerous personal friends amongst the Irish patriots. Fitzpatrick was a scion of an Irish family, that for centuries had been Lords of Upper Ossory. Burke had many leading friends in the Irish House of Commons, and several of Fox's adherents in England were Irishmen, as, for example, Sir Philip Francis, Colonel Barré, Mr. Sheridan, Courtney, and many others. All the force of party, connexion, and personal friendship, was immediately put in action by Fox. He saw the difficulty of his position, and like a strong man rose with the emergency.

On the 14th of March, 1782, Henry Grattan had given notice that he would again bring before the Irish House of Commons the question of Legislative Independence; and he moved further for a call of the House for the 16th of April, the day on which members "were to tender the rights of the Irish Parliament." It therefore became a paramount object with Fox to interpose delay. He sought to play upon the good nature of Lord Charlemont, and endeavoured to amuse the Irish leaders with various kind speeches and compliments. He partially succeeded. Denis Daly was favourable to giving "time" to the English Government: so also was Hussey Burgh, and so was Mr. Yelverton—three men of unquestionable spirit and ability.

The 16th of April drew near, and public expectations were greatly excited. There were symptoms of some of the patriot leaders faltering in their course. Grattan, who had been suffering after a life of three year's continuous excitement, was breaking down in health, but not in resolution. He was confined to his bed from physical debility, though his mind was full of nerve. On the 13th of April, three days before that appointed for the Declaration of Irish Independence, Lord Charlemont wrote to Flood requesting him to come to town and give his advice upon the emergency of affairs; but Mr. Flood declined to do so. Charlemont went to the bedside of Grattan, and told him of the letters he had received from Fox and Lord Rockingham. He

told him also of the opinions of their fellow-patriots; but Grattan vehemently cried: "No TIME!—NO TIME!" and Lord Charlemont was obliged to write a letter to the English Government, "that they (the Irish leaders) could not delay—that they were pledged to the people—that they could not postpone the question—for that it was *public property*." Such were the words dictated by Grattan.

At length the 16th of April, 1782—the most memorable day in Irish history—arrived; and Grattan, to the surprise of all who knew his physical weakness, appeared in his place in Parliament. His looks told his sufferings: he was emaciated and careworn; and an ordinary man in his state would not have been fit to enter, much less to address, a public assembly. But Grattan was no ordinary man; and he electrified his audience with a speech distinguished, in the words of an English critic, "for its fire, sublimity, and immense reach of thought." Lord Charlemont used often to say when alluding to that day, "if ever spirit could be said to act independent of body it was on that occasion." The speech was in every respect equal to the occasion; and Grattan won universal admiration by the power of mind and character he showed when moving his resolutions of Independence. He stated the three great causes of complaint upon the part of Ireland: the Declaratory Statute of George the First; the Perpetual Mutiny Bill; and the unconstitutional powers of the Irish Privy Council. The repeal of the two statutes, and the abolition of the sway of the Privy Council were the terms on which he would support Government.

His resolutions were triumphantly carried. Chief Secretary Fitzpatrick found it useless to make resistance. The House of Lords concurred with the House of Commons in the famous Address to the King, stating "that the Crown of England is an Imperial Crown, but that Ireland is a distinct Kingdom, with a Parliament of her own, the sole Legislature thereof." The English Government then placed the Resolutions before the King, who directed copies to be laid before the British Parliament; and on the 17th of May the English House of Commons resolved itself into a Committee for the consideration of the whole question. Mr. Fox determined to yield with a good grace. He stated that he would rather see Ireland wholly separated from the Crown of

England, than kept in subjection by force. "Unwilling subjects," he said, "are little better than enemies." He then moved a repeal of the 6th George the First, and his motion was adopted by Parliament.

The Irish Parliament then met upon the 27th of May; and the Lord Lieutenant officially noted in his speech the concurrence of the English Government with the resolutions of the Irish Parliament. Mr. Grattan moved the Address in answer to the Speech, and only two members voted against the Address. Notices of several Irish bills were then given by Grattan, Yelverton, and Forbes; and the Irish Parliament entered upon its independent existence.

Thus was carried the Revolution of 1782—in the achievement of which Henry Grattan played a part that would preserve his memory in history, even if his eloquence had not immortalized his name. In the 36th year of his age he stood before the world as the leading statesman in a national Revolution, pregnant with vast consequences to the authority of England, and to the politics of Ireland. Aided by a number of able men, and backed by a national army, he had brought about the most singular state of political relations between the countries. His ideas may be simply stated thus:—First, he wished that Ireland should own the Sovereign of England as her King. Secondly, that she should deny the *legislative* power of England upon Irish matters. Thirdly, that the Irish should live in affection with England, while they should preserve a passionate nationality. And such also were the views of his contemporary statesmen. On one important point, however, Grattan widely differed from many of the leading patriots. He was the earnest and unswerving supporter of the whole claims of the Catholics—he was for their emancipation from the odious bondage in which they had been held. As a matter of sentiment he was in favour of religious liberty and freedom, and also, as a matter of opinion; for, looking at the whole question as a statesman, he saw that it was utterly absurd to suppose that Irish Independence could exist, when half the country was enslaved. It reflects much credit on his political sagacity that he prophesied the Union, unless the Catholics were emancipated by the Irish Protestants, who in those times monopolised all political power. Upon the great

question of the liberty of the Irish Catholics, Grattan was completely right from first to last; and it must be admitted that his devotion to their cause was not merely the cold dictate of political prudence, it was also the impulse of his manly, generous nature. Throughout his whole life, and in all seasons, to the cause of the Irish Catholics, he "clung (to use his own words) with desperate fidelity."

In return for Grattan's services a vote of £100,000 was proposed in Parliament, for the purpose of giving him an estate. His first impulse was to decline the grant; he disliked to receive public money for services which had been voluntarily offered to his country. Yet if he declined an estate his difficulties were considerable. His patrimony was far from being sufficient to support the station to which he had raised himself. He could not turn to the bar after having devoted so much time to politics. He should therefore be compelled either to retire from the public scene, or to become a placeman. His uncle, Colonel Marlay, so strongly represented to him the nature of the latter dilemma, that Grattan acquiesced in the wisdom of becoming independent of party. He consented to accept half of the sum voted to him by Parliament; and probably then formed his inflexible resolution never to take office, as during his long life he repeatedly declined official position, though tendered him by various administrations.

The second period of Grattan's Irish Parliamentary life commenced with the agitation of the question of "Simple Repeal."

Mr. Flood had evidently been much mortified with the splendid success of Grattan, and felt considerable chagrin at having been surpassed by his political pupil: he seemed to have resolved on recovering his former popularity, even at the expense of destroying Grattan's reputation. His conduct from first to last in the events of '82 was very singular and inconsistent: at first he had dissuaded Grattan from bringing on the question of Irish right, and affected a part of caution and moderation; but when independence had been declared by the Irish, and assented to by the English Parliament, he suddenly became the boldest—most vehement—and anti-English of all the Irish patriots. He declared that England's repeal of the 6th George the First effected nothing for Ireland, and contended that "simple repeal" of

that statute was not enough to effectuate Irish independence, unless the English Parliament passed a special act positively renouncing all claim to legislate for Ireland.

It should have been an object of supreme importance to have avoided vexatious questions and idle discussions, and to have united all Irish parties in a vigorous support of the new constitution of the country. Mr. Flood, however, succeeded in completely discrediting the Revolution of 1782, and in making the Irish public suppose that nothing effectual had been accomplished by Grattan. With childish credulity they attached extravagant importance to the idle doubts of Mr. Flood, and placed faith in scandalous calumnies which the malignant and envious propagated against the character of Grattan, who was held up to public odium as a mercenary adventurer "bought by that country which he had sold for prompt payment." In two months, from being the idol of the nation, he had sunk to be the object of public reprobation—the victim of slander and falsehood.

It is an easy thing now to dispose of the idle question of Simple Repeal. In truth, there was nothing whatever deserving of attention in the point raised by Mr. Flood. The security for the continuance of Irish freedom did not depend upon an English act of Parliament. It was by Irish *will* and not at English pleasure that the new constitution was to be supported. The transaction between the countries was of a high political nature, and it was to be judged by political reason, and by statesmanlike computation, and not by the petty technicalities of the courts of law. The Revolution of 1782, as carried by Ireland, and assented to by England (in repealing the 6th George the First), was a political compact—proposed by one country, and acknowledged by the other in the face of Europe: it was not (as Mr. Flood and his partisans construed the transaction) of the nature of municipal right, to be enforced or annulled by mere judicial exposition.

The question of Simple Repeal was two-fold in its nature—legal and political. Mr. Flood contended, in his own words, "that the simple repeal of a declaratory law (unless it contains a renunciation of the principle) is only a repeal of the declaration and not of the legal principle" (June 11th, 1782). No such

position as Mr. Flood here asserted could be maintained by sane lawyers unless (as was the case in 1782) several of them had their minds inflamed by spleen, or excited by fanaticism. If a legal principle survives the repeal of a declaratory law, where does it exist? How is it operative? In what case can it be applied? It may have a metaphysical existence in the head of an abstract speculator, or a fanciful politician, but where does it exist in tangible shape? A legal principle is cognizable; but when the law containing a principle is erased from the statute book, where is the principle to be sought for? In truth, if Mr. Flood's mode of construing the effects of a repeal of a statute were correct, a most fatal analogy would be established for those high prerogative lawyers who favour constructive doctrines of all crown law. Several of the worst laws of the Stuart times were annulled by simple repeal: if the views put forward by Flood were right, these principles still survive. Innumerable laws were swept from the statute book by Romilly and Mackintosh, but do the principles of those enactments remain?

Again, treating Mr. Flood's question according to the principles of *Irish* constitutional law (as it existed in June 1782), his views were ridiculous and inconsistent. What was the principle of the Revolution of 1782 other than "that Ireland was a distinct kingdom from England, with an Imperial Crown, but a Parliament of its own, the sole legislature thereof"? These are the words of the Declaration of Rights, unanimously assented to in the Irish House of Commons. The Revolution asserted the supremacy of the Irish Parliament in Ireland—"the King, Lords, and Commons of Ireland should alone make laws for Ireland." How truly absurd then to have sought Irish liberty by a renunciatory act of the *English* Parliament! Seeking for an *English* law on such a subject was calling in question the *right* and *power* of Ireland to legislate for herself. As Mr. Grattan aptly said, "we went to the Sovereign *with* and not *for* a charter."

As a question of *legal security* and *British* constitutional law, the absurdity of Mr. Flood's views were admirably exposed by Grattan. "What is the authority of the Parliament of England? Omnipotence within the realm of England.

It makes law—it unmakes law—it declares law, and whatever it enacts the King must execute—the judges declare—and the subject obey. Against whom have you sought security? Against the Parliament of England. What security does the member propose? The statute law of England, which does not bind the Parliament of England! the law against the law-maker: a security which ends where your danger begins; which is essentially defective in the very point where you want to be secured; which is the very reverse of a specific for your disorder. With peculiar sagacity, he rejects the faith of nations, which alone can bind the power of Parliament; and he calls for a law, which is the creature of Parliament, to restrain it; he calls for English statutes, which secure you, I allow, against the individual, the corporation, and the King, and everything, except the British Parliament."

But to all such reasoning the public were deaf. Thousands of persons fancied that nothing had been obtained by the Revolution, and that England still had legislative power. The Irish public lost its sense, and, in a couple of months, Grattan was denounced in various quarters. His popularity vanished; his character was unjustly abused; Mr. Flood became again the favourite leader. The friends of Grattan were disgusted, but he himself determined to punish Mr. Flood for the course which he had pursued. In 1783, they stood before the public as rival leaders, and each had many friends and enemies. Flood thought that Grattan had been ungrateful, and Grattan considered that Flood had not behaved fairly. In short, a bitter animosity subsisted between them. Grattan could not contain his wrath, and seized the opportunity to provoke Flood by some very harsh taunts at "his affectation of infirmity." To the moroseness of Grattan's speech, Flood replied with savage truculency, denouncing Grattan as "a mendicant patriot, subsisting upon the public accounts—who, bought by his country for a sum of money, then sold his country for prompt payment." He followed up this personality with some withering sneers at Grattan's aping the style of Lord Chatham—tauntingly contrasting him with "the great commoner;" and, pretending to commiserate him, shorn of reputation, and bereft of popularity, he contemptuously

concluded, by condoling with him on the calamities suffered in his fame, as, doubtless, "he was still so great, that the Queen of France would probably have a song made on the name of Grattan!"

To be thus roused was all that Grattan wanted. He had artfully drawn Flood out—the House had listened to the attack—it was now bound to hearken to the reply. Indeed, honourable members desired nothing better than to behold the rival champions mangling each other's character. The more savage the sarcasm—the more galling the taunt—the more cruel the imputation used by each orator—the more pleased was the House of Commons, which delighted in exhibitions of rhetorical pugnacity, followed up by the excitement of hostile meetings out of doors. Any other man would have been crushed by Flood. But Grattan was admirably prepared. With artful affectation of temper, he stood up to deliver his reply, and, after addressing himself to the general question, then gave a long critical account of Flood's entire life, in which he ingeniously distorted every feature of his rival's character, and, with malign skill, darkened every shade that rested on his reputation. He stooped even to satirize his person, "hovering about the Senate, like an ill-omened bird, with sepulchral note, cadaverous aspect, and a broken beak, watching to stoop and pounce upon his prey." He continued at great length to work out an elaborate character of Flood, presenting the most artistic specimen of invective that has disfigured the Parliament debates. It cannot be denied, that there was remarkable talent in the composition of the philippic. The form and outlines of the character intended for Flood were drawn with masterly firmness; and the closeness, as well as the variety of sarcasm, was remarkable. The force of the whole invective was increased by the spirit of personal vengeance that animated the virulent performance.

"Can you believe," wrote General Burgoyne to Charles Fox, "that the House heard this discussion for two hours without interfering. On the contrary, every one seemed to rejoice as his favourite gladiator gave or parried a stroke, and when the Chair at last interfered, they were suffered by an inattention, which seemed on purpose, to withdraw themselves." A hostile meeting was agreed upon between the parties, but Flood was arrested.

While a duel was pending, Grattan made his will, by which he left his grant of £50,000 to the public, merely charging it with a life-annuity for his wife.*

The evils which followed from the contest on "Simple Repeal" were very great. The Irish public was distracted, and a distrust sprung up in England of the wish of Ireland to remain in the Imperial connexion. The odious personalities between Grattan and Flood led to a general rupture in the national party, and all these evils were compensated by no real advantage. Mr. Flood was technically the victor in the dispute; he succeeded in carrying the public with him, but his triumph was barren. The Renunciation Act was passed, and well may it be asked, "*cui bono?*" when we remember that in seventeen years after the Union was carried with such ease!

The course of conduct pursued by Grattan at this period of his life is very open to political criticism. There were really only two parties amongst the Irish Protestants—namely, the Aristocracy and the Democracy: the former were excessively selfish and arrogant, and the latter were equally violent and reckless. They had each the faults that political philosophers have always attributed to the privileged few, and to the excluded many; but thus it has been always in the history of Ireland. She has suffered much from external misgovernment, and scarcely less from her own internal discord. When her statesmen have triumphed over the Imperial rulers, they have oftentimes found themselves vanquished by homebred hostility. The "Irish difficulty" exists to baffle not only the "foreign statesman," but the "native" patriot, "racy of the soil."

Thus it was after the Revolution of 1782. Ireland had obtained the right of internal government. The next question was as to the application of the power. It was evident that the vast authority obtained by the Irish Parliament could be used for legislative purposes. What system of government was to be put into practice? What measures should be carried for the public welfare?

* He married in 1782—during the very crisis of the age—Miss Henrietta Fitzgerald, a lady of beauty and virtue, to whose character her son has paid a most touching tribute, while recording his father's career. (*Vide* Grattan's Life, chapter 1, vol. 3.)

The Aristocracy wished that nothing more should be done. They had been very willing to demand from England that they (the Irish Aristocracy) should "alone make laws for Ireland;" but they were very unwilling that their own privileges and hereditary influence should be invaded. The Democracy was equally determined that a more popular system should be adopted. Thus, in 1783, the Irish Aristocracy wanted to govern as a national, but virtually irresponsible body; the popular party desired not merely that Parliament should be national, but that it should also be responsible. So the first question before the free Irish Parliament was one of Radical Reform.

It was in this state of affairs that Grattan acted with weakness, or perhaps indiscretion. He resolved to side with no party, and to remain a neutral. He adopted no means for building up a party to carry out his own views, and vigorously maintain his principles. He voluntarily assumed the part of a critic and spectator, instead of a governor in the cabinet, or a guide of the popular passions. He refused to accept office, and he declined to act as a popular leader for Parliamentary Reform. His views were certainly inconsistent. He demeaned himself towards the British Government, as if he sided with the popular party, and towards the Reformers he acted as if he had been the partizan of Administration.

It is evident, from the published letters and speeches of Grattan, that he was utterly mistaken on the nature of political power. He confounded fame with authority—celebrity with influence—the respect and admiration of the enlightened few, with the obedience and submission of general society. He had been *the* Statesman of Ireland for three years previous to 1783, and he thought that he could always remain powerful. He seemed to think also that the system of government, which he had been the means of giving his country in 1782, would govern it, without the necessity of any more intervention of public passions. He had evidently too much faith in the Lords and Commons of Ireland. His mind was tolerably easy on the problem of Irish government. The country had now its own Parliament—that should govern it.

But mankind, after all, have been, and must be, governed by men. Given the best system and the happiest people, it will

still be a problem how to govern. In vain have ingenious theorists—men of subtle minds and intellectual accomplishments—tasked themselves in constructing plans of perfect government. Try the best system, and when it is carried out, there will always be passions to resist, interests to be controlled, order to be maintained, and liberty to be cherished and preserved. The best system can only modify the operation of those passions, for the effective control of which government is instituted. Thus let the Humes and Montesquieus—the Adam Smiths and Benthams—devise the most perfect schemes; there will always be plenty to do for the Chathams—the Mirabeaus—the Foxes, and the Cannings. For man is not a merely thinking being, he is also an active one; prone to the adoption of habits, but subject to the domination of dangerous impulses. Government, in short, requires governors; a self-evident truism, one might suppose, if the learned and ingenious had not given the world voluminous tomes treating the government of the human race as a mere matter of system. "Presiding principle, and prolific energy," was Burke's fine idea of government. But the theorists, occasionally admirable upon "principles," blind their eyes to the "energy" inherent in society; that vital energy which can only be swayed by living men, and not by formal systems. For you may rule, but not root out public passions.

The fault of the theorist in exaggerating the value of mere systems, is often seen in the man of action, who has himself founded an institution. Thus Grattan placed too much value upon a national Parliament, without considering sufficiently the species of the Legislature. These remarks will be confirmed by the examination of his conduct, after the "Simple Repeal" question had been settled.

When the Irish public found that the right of Ireland to legislate for herself was firmly established, they next determined to reform the House of Commons. Their resolution was wise, and merited approval; for never surely did any Parliament require a more thorough reform. To obtain that reform a Convention of the Volunteers was established. Five hundred delegates, from two hundred and seventy-two corps, met together at Belfast. They passed resolutions, and addressed the Volunteers of Leinster, Munster, and Connaught, and exhorted

them to demand those rights, deprived of which "the forms of a free government would be a curse, and existence cease to be a blessing." Thus called upon, the Volunteers of Ireland responded, and one hundred and sixty delegates from all parts of Ireland assembled at the Rotundo. They marched to the Convention through ranks of Volunteers, who lined the streets, with arms presented, and standards flying. Persons of the greatest social weight, and of the most distinguished public character, adorned their assembly. It comprised, amongst others, the Earl of Charlemont, Mr. Flood, Lord Farnham, Mr. Ogle, Mr. Stewart of Killymoon, Mr. Edgeworth, Mr. Bagnall, and Sir Edward Newenham. Lord Charlemont himself has vouched for the constitution of the Convention. "It presented," he says, "a *numerous* and *truly respectable* body of gentlemen. For though some of the lower class had been delegated, by far the majority were men of rank and fortune, and many of them Members of Parliament, both Lords and Commoners." Of the public feeling entertained towards it, his Lordship adds, "Though I never cordially approved of the meeting, yet as *I found it impossible to withstand the general impulse towards it*, I did not choose to exert myself against it."

In such a state of affairs, there was great anxiety to know what Grattan would do. The Ministers of England, and the Protestant Reformers of Ireland, looked for his decision with equal anxiety. It was a critical moment, not less important than that when he cried, "no time! no time!" Mr. Fox was intensely excited by the occasion. He saw what the Irish might achieve, and felt the greatest interest upon the whole question of Irish Parliamentary Reform. "I want words to express to you how *critical*," he wrote to the Lord-lieutenant (Northington) "in the genuine sense of the word, I conceive the present moment to be; if the Volunteers will not dissolve in a reasonable time, government, and even the name of it, must be at an end." Again he wrote to his friend General Burgoyne: "If Grattan, or any others, feel any difficulty in treating the Volunteers in this tone (that is, not to consider the request of persons assembled with arms), from the use they formerly made of them, I must say, their feelings are not only different from mine, but are diametrically opposite. Those who have used dangerous weapons for

good purposes, are most bound to take care, when the object is attained, that no bad use is made of those weapons."

The whole question was, whether "the object" had been attained? In a technical sense, the Irish national liberty had been procured, but the real question was, whether it was secure in the hands of a virtually irresponsible Parliament? Mr. Fox evidently believed that it was possible to govern Ireland by influencing its Parliament; and he thought, if the Irish House of Commons were reformed, that the English Government would have no power over it. Upon the other hand, several Irish politicians thought that Irish liberty was not secure, unless the Parliament was made virtually responsible.

Grattan on this most important occasion did —— nothing.

He did not become a member of the Convention—nor did he support the Government. When Mr. Flood, having carried a plan of Reform through the Convention, brought forward his measure in the House of Commons, Grattan voted in its favour (without committing himself to Flood's scheme); but, at the same time, Lord Northington wrote to Fox, "Grattan voted against us, and spoke; but his speech evidently shewed that he meant us no harm." In short, he elaborately acted the part of a mere neutral.

His conduct has been frequently censured in relation to this important question. It has been ingeniously defended by his son, Mr. Henry Grattan, who has shown a most graceful and filial regard for his illustrious father's memory. But even Mr. H. Grattan is compelled to admit—"It cannot be denied that the Volunteers had an argument. The Parliament of Ireland was a borough Parliament; and it was the Volunteers alone who roused the spirit of that body, and forced it to act, and when they had accomplished their purpose they could not be certain that Parliament would not relapse, and undo all that had been already done." (Grattan's Life, vol. III. p. 155.)

So formidable and powerful were the Volunteers that Government had recourse to every means of weakening them. "*Divide et Impera*," was the policy acted on by Lord Northington in relation to the Convention. "Our next step," he wrote to Fox, "was to try, by means of our friends in the assembly, to perplex its proceedings, and to create confusion in

its deliberations." And again, "Another desirable step was to involve them, if possible, with the House of Commons."

Thus the English ministers clearly saw how very formidable was the Convention. Fox's anxiety about Grattan's conduct sufficiently attests the amount of moral power which the latter could, at that time, bring to bear. For Grattan might have carried everything before him in the Convention, which was wretchedly in want of leaders. The men of property who belonged to it were not very earnest in their wishes for Reform; and there were several secret enemies to the popular party amongst its ranks. For want of controlling power—in short, for want of a judicious and vigorous leader—the Convention fell to pieces; its members quarrelled; the whole body became distracted; it ran foul of Parliament; those who had promised to guide it, took fright at the velocity of its progress—and abandoning their stations, left the Convention to dash itself to pieces.

From that time the moral power of the Irish Volunteers was at an end. And it is remarkable that with the fall of the Volunteers terminated Henry Grattan's *direct* influence over Irish affairs. He ceased from that time to sway events, and wield political power.

He had obtained the independence of the Irish Parliament; in doing so he had displayed not only splendid talents, but great moral courage. So also, when Flood sought to blast his character, and tarnish his glory, Grattan showed much resolution—courage—and self-reliance. He was right in all the thorny discussions of "Simple Repeal." But he was wrong on the question of the Convention for Reform. He was morally bound by his position to take some side or other. For Charles Fox justly said "the real crisis" of the Irish Revolution arrived, when it was proposed to reform the Irish House of Commons. The experiment of Irish legislative freedom was virtually at stake—the necessity for Reform was admitted—Grattan himself voted for it. The Parliament was notoriously venal; of three hundred members of the House of Commons, fully two-thirds were the nominees of about a hundred persons.

Grattan had right views upon Reform, but he took no steps for making those views prevalent in Irish politics. After the Volunteers were gone, he took up the question of Parliamentary

Reform, and he saw all its important relations to the permanence of Irish Parliamentary Independence. But he was too late; the Minister had bought up the House of Commons, and Grattan, after the Volunteers were dissolved, was always admired, but never obeyed in Irish politics. He kept his genius, eloquence, and speculation; he lost his political power.

Grattan has been harshly censured for his inaction in Volunteer Reform. But though it is right to point out the error, it is very wrong to blame him as culpable. He believed that the Aristocracy of Ireland were more patriotic than they really were. He committed the glorious mistake of a noble and lofty nature—that of believing the rest of mankind as pure, as unselfish, as enthusiastic as himself. He thought that Irish gentlemen would have the same sense of national honour as he himself possessed—and he was deceived. He thought that he could enforce his views on Reform, without employing the questionable authority of *a domestic army employed for internal changes in his country.* Besides, he considered, not unreasonably, that the Whig party in England would have lasted. He did not foresee (who could?) all the results of the coalition of Fox and Lord North. He did not foresee (who could?) the quarrel between Fox and Burke; the dissolution of the great Whig party by the fearful progress of the French Revolution. He did not foresee (who could?) the abandonment by William Pitt of all his early Reform principles. He did not foresee (who could?) that the youthful Whig would become the most formidable Tory Statesman that England ever produced.

Grattan wanted no moral foresight in politics. It is only those shallow persons, who judge by the event, who blame him for not having been more democratic. If any one doubts his foresight, let him read the following prophecy (for such it is), delivered in 1790 (February 11th). Addressing the Irish Parliament, he said:

"The country is placed in a sort of interval between the ceasing of a system of oppression, and the formation of one of corruption. Go on for ten or twelve years as you have done for the last five; increase in the same proportion your number of Parliamentary places; get every five years new taxes, and *apply them as you have done*, and then the Minister will find

that he has impaired the trade and agriculture, as well as destroyed the virtue and freedom of the country."

Again, on the same occasion, his words were full of warning: "There is no object which a course of corrupt government will not ruin—morality, *constitution*, commerce, manufactures, agriculture, industry. A corrupt Minister issues forth from his cabinet like sin and death, and *Senates first wither under his footstep;* then he consumes the treasury, and then he corrupts the capital, and the different forms of constitutional life, and the moral system, and at last the whole isle is involved in one capacious curse from shore to shore, from the nadir to the zenith."

The charge to which he is really obnoxious characterised all his life. He was too much of a neutral. But the distracted state of his country is sufficient to account for his occasional inaction. It is certain, however, that throughout all his life, both before and after the Union, he was placed between two cross fires. I cannot help thinking that there were three or four occasions when he might have accepted office with real advantage to the best interests of his country.

But in offering any criticism on Grattan's mistakes, let us remember that we are judging after the event. It has been foolishly said that Ireland wanted a soldier-statesman in 1782. But such a man could never have created and inspired the feelings, which the original and poetical mind of Grattan first introduced amongst the English colonists and planters in Ireland. There are flippant critics who blame Grattan for not having done everything for his country. The truth is, that his views were immeasurably above his country and his age. The public could not follow him. For it was his peculiarity in politics to have a zeal for social and national progress, perfectly free from all that was anarchical and disorderly.

Thus to enumerate the facts of his early life:—I. He introduced into Irish politics an element of lofty moral enthusiasm, which sprung from his own mind and character. II. He raised provincial squabbles into national passions; and, distancing the Floods and Dalys, he snatched Irish Legislative Independence from England. III. His power fell from the internal dissensions of the island: he could not persuade the Protestants to emancipate the Catholics; he could not prevent the rise of the United

Irishmen, nor save the Irish Democracy from the infection of Jacobinical principles; and, on the other hand, he could not retain the Irish Aristocracy in that love of country which they had exhibited in 1782. IV. Without influence or power he was a spectator of the Union. He was compelled to look on, while Mr. Pitt and Lord Castlereagh extinguished the Parliament of Ireland. Thus, as a man of action, his career virtually terminated with the fall of the Volunteers. If in 1784, he had joined the popular party, he might have moderated its tone, and rationalized its opinions; or, upon the other hand, if he had accepted office when tendered him, he might have wielded much influence, and gradually raised a patriotic and governmental party. In either case, he would have clothed himself with that power which was denied to him in his isolated position.

I pass on to make some general remarks on his public character.*

Whatever difference of opinion there may be as to the nature of his powers, it is admitted, upon all sides, that Henry Grattan must be classed in the first rank of those famous persons who, partly by extraordinary eloquence, and partly by capacity for affairs, have been the real governors of these islands, from the Revolution of 1688 down to the present time. And not one of all that celebrated band from Bolingbroke to Canning, was more eminently original both in character and genius. The boldness and grandeur of his imagery; the flight of his imagination, as well as the gorgeous richness of his language, attest the vigour as well as the beauty of his mind. The mere critic may note many blemishes of style throughout his speeches: he may often be justly displeased with incongruous metaphors—with vehemence tending to the bombastic—and with an excessive use of epigram and antithesis. But, admitting that his speeches contain faults, which are interwoven with their beauties, enough of excellence will remain to win the admirers of intellect and genius. "His eloquence," said a distinguished living poet, "was a combination of *cloud*, *whirlwind*, and *flame*"—a striking description of the partial obscurity, but startling energy and splendour of his style.

* *Vide* Preface.

Of all the great Parliamentary orators, whose speeches have been preserved, those of Grattan are most worthy of perusal by the reflective and the studious. He may have been surpassed in Parliamentary eloquence by some, and in political philosophy by others of his contemporaries; but none of them, like Grattan, addressed at the same time two distinct classes of persons—namely, the audience before him, and a certain higher tribunal of the thoughtful few, whom he always kept before his mind's eye. The speeches of Pitt and Sheridan read in the study as so much rhetoric: Fox's orations are the massive remains of a wonderful debater: the purpose of the hour—the interests of his party—occupy too large a space in all his speeches, which, after all, were "made to be spoken, and not to be read." Burke had two distinct styles—one grave and didactic, as in his American speeches (which are spoken essays), when he wearied his hearers, though he delighted his readers. In the other style he was diffuse, and essentially rhetorical. But Grattan blended two styles into one, and dazzled those who listened to him, while he spoke so as to instruct even posterity. He was never surpassed for the union of philosophical principles and oratorical energy. "No orator of his age is his equal," says a great authority on eloquence (Lord Brougham), in the easy and copious flow of most profound, sagacious, and liberal principles, enunciated in terse and striking, but most appropriate language." Thus it may be said with truth, that the speeches of Grattan are a valuable contribution to political philosophy, well meriting the best attention of the statesman, the historian, and the philosopher. The thinking power, to be found in all his speeches, combined with his vivid imagery, his singular mastery over rhythm, and the impassioned spirit pervading them, form their distinctive characteristics. The "*Esprit des Lois*" does not more differ from all other treatises of politics, than the speeches of Grattan from those of other orators. For it is only in manner that they resemble the fragments of Chatham. There is more of philosophy and moral thoughtfulness—more of the inquiring spirit of the eighteenth century, in the eloquence of Grattan. There never was such an union of the orator and sage.

But, enough of his eloquence; and in Ireland we have placed preposterous value upon mere oratory, which, after all, is valu-

able only as an instrument. There was a MIND in Grattan, a moral power far more valuable than the vaunted art of the public speaker. In addition to a wonderful imagination, nature had given him a strong and clear understanding, which he vigorously exercised on most of the great questions in morals and politics. He read the best and deepest authors on political science with interest, and pondered much upon their principles. This habit he carried too far for a man of action; he became somewhat too professional and didactic in his public life; and he occasionally fell short of the wants of the age, by refusing to be an energetic leader, and assuming the part of an impassioned essayist.

The idle caviller may say that much of what he obtained for his country, has reverted to the English Empire. It may be said that after all he did not save his country (as if any one man could put to rights such a country as Ireland!) It may be asked what did he actually DO for Ireland that we should revere his character and venerate his name?

He was the first Irishman who ministered intellectually to the national character of his country. There were plenty of Irishmen like the Desmond, the O'Neills, and Sarsfield, who vindicated the valour and hardihood of the Irish race. So also there were many Irish patriots before Grattan. But Swift, though he had both Irish humour and Irish purposes, was essentially an English author. So also Flood was an Englishman in his style and character. But Henry Grattan invented an eloquence to which the moral temperament of his country responded. His speeches are as much in conformity with its genius and its mental characteristics, as the pensive and wildly beautiful, yet alternately gay and exciting music of the island. You may trace in his eloquence the vivid nature—the eager mind—the cordial sympathy—and aspiring soul of the Irishman. In short, Grattan was the first powerful assertor, as he is certainly the most splendid illustrator, of Irish genius.

He was the first Irishman who treated of Irish politics on a grand scale, with breadth of view and liberal judgment. In an age of Protestant prejudice, he bravely unfurled the standard of religious liberty. When he pleaded for the Catholic there was no popularity to be gained by such a course. On the contrary, he injured his influence by his adoption of the Catholic cause.

He not merely was content, like certain statesmen, to have his views in favour of the Catholics made known: he laboured also, by his pen—his tongue—by personal exertion, and by political sacrifices of power and popularity, to have those views prevail over the public mind.

There may have been those who loved the Protestant nation of Ireland, and who served it more zealously than Grattan. So also there may have been patriots who loved the Catholics and "lower nation" of Ireland more enthusiastically: but never surely did any Irishman, before or since, *love both nations with so much affection*. Never did any Irishman toil with such ardour for the best and most enduring interests of both; for though he boldly defended the interests of property against revolution and anarchy, he vindicated also the liberties of the Catholic against the sordid pride and selfishness of an ungenerous oligarchy. His patriotism made no unhappy distinctions between religious creeds or hereditary races. He wished for the happiness of all Irishmen. He was free from the Protestant prejudices of Flood, and opposed to the sanguinary principles of Tone.

In the annals of a land so torn with discord, it is perfectly delightful to meet (as we do in Grattan's speeches) with the unmistakeable evidence of there having been once a man in Ireland who could take large views of his countrymen, and who, while cordially preserving his enthusiasm for his native soil, would not allow himself to be the mere creature of either party. He shewed that though he was intensely Irish, he was not merely insular.

He was not only a national patriot—he was also a herald of civilization. While he retained the charm of local colour in his character, he was also much of the enlightened cosmopolite. He cherished large and inspiring views of life: his mind, in its philosophical excursions, was not manacled by a wretched faith in formula: he believed in the moral progress of the human race, and possessed a strong sympathy with mankind. Thus he deserved not only the affections of Ireland, but the regard of civilized Europe. It was well observed by Sir James Mackintosh in the House of Commons: "When the illustrious dead are gathered into one tomb, all national distinctions fade away; and not even the illustrious names of Burke and Wellington were

more certainly historical, or more sure to be remembered by posterity, than that of Grattan."

More than any Irish patriot of his age, Grattan was cautious as to the means he employed. It was not enough to have glorious ends—he strenuously insisted, throughout his life, on the necessity of worthy means. His moral character stands out in prominent relief amidst the venality and selfishness of his contemporaries. "I never knew a man," said Wilberforce (talking of Grattan), "whose patriotism and love for his country seemed so completely to extinguish all private interests, and to induce him to look invariably and exclusively to the public good."

It is curious to note what vicissitudes were in his popularity.

He was idolized by the people at the era of Free Trade and Independence;—he was cashiered by them within a few months on the question of Simple Repeal. He was denounced by the authorities as an enemy to his country in 1798—in two years afterwards, on the Union question, he was exalted as the most strenuous champion of Irish liberty. When he voted for the Insurrection Act, and advocated strong measures against anarchists and prædial disturbers—he was traduced as the deserter of the civil liberties of his countrymen. Upon the question of the Veto, he was dismissed as the betrayer of the civil liberties of the Catholics; but in 1818 he was elected for the city of Dublin by the general consent of the people, when, strange to say, he was nearly stoned to death in his native city!

On this last occasion, a scene took place in which he revealed all his personal character. It is well worthy of notice.

After the election had terminated, the members, according to usage, were chaired. Because he had been favourable to the Insurrection Act, and because, in some comparatively unimportant particulars, his conduct had not satisfied the ultra-popular party, it was determined to assail Grattan, and fling him into the Liffey. A plot, which happily was defeated, was formed against the venerable patriot. After passing Carlisle-bridge, a base and execrable gang assailed him with ferocity. His friends around him were greatly alarmed; but, though Grattan was stricken in years, and shattered in his constitution, he displayed his characteristic personal courage. One of the wretches was but too suc-

cessful, and succeeded in giving him a fearful blow, which cut open the old man's face. He jumped up from the chair, caught the missile which had fallen at his feet, and fiercely looking defiance, hurled it back, with his failing strength, in the direction of the dastards whence it came. "Never—never (it has been said by one who saw the scene) did he appear to such advantage."

Yes! he did—he appeared to much greater advantage afterwards. For though it was a fine and exciting thing to see the old man display the high spirit of his youth, it was far finer to witness his calm and serene deportment afterwards. Efforts were made to exasperate him against the popular party. All the public bodies of Dublin crowded round him, and tendered him their respects. He saw the use to which the incident would be turned by the evil-minded, and, true to the leading principle of his life, never to criminate his country, whatever he might suffer from its momentary injustice, he thus replied to the public address of Dublin, in the following most beautiful and touching words:—

"My Friends and Fellow-Citizens,—A few individuals—a sudden and inexplicable impulse—a momentary infatuation—anything—everything—might account for that violence of which you complain. It is not worth your investigation. My friends and electors have nothing to say to it. I receive the unanimous expression of congratulation from my fellow-citizens, not as a consolation for such a trifle as that, but as an inestimable testimony, which I shall endeavour to merit, and ever preserve.

"I remain, gratefully,

"Your faithful humble Servant,

"HENRY GRATTAN."

Thus, after having passed through a stormy age, and having experienced all the vicissitudes of public life, his brave and manly nature remained tender and genial to the last. He died in the public service. Though warned by his medical attendants of the consequences, he insisted upon going to London to present the Catholic Petition. Exhausted by the journey, he expired there. The best and noblest spirits in England gathered round his sons, and entreated that his remains should lie where Fox and Chatham are interred. His grave is in Westminster Abbey.

Reader! if you be an Irish Protestant, and entertain harsh prejudices against your Catholic countrymen—study the works and life of Grattan—learn from him, for none can teach you better, how to purify your nature from bigotry. Learn from him to look upon all your countrymen with a loving heart—to be tolerant of infirmities, caused by their unhappy history—and, like Grattan, earnestly sympathise with all that is brave and generous in their character.

Reader! if you be an Irish Catholic, and that you confound the Protestant Religion with tyranny—learn from Grattan, that it is possible to be a Protestant, and have a heart for Ireland and its people. Think that the brightest age of Ireland was when Grattan—a steady Protestant—raised it to proud eminence; think also that in the hour of his triumph, he did not forget the state of your oppressed fathers, but laboured through his virtuous life, that both you and your children should enjoy unshackled liberty of conscience.

But, reader! whether you be Protestant or Catholic, and whatever be your party, you will do well as an Irishman to ponder upon the spirit and principles which governed the public and private life of Grattan. Learn from him how to regard your countrymen of all denominations. Observe, as he did, how very much that is excellent belongs to both the great parties into which Ireland is divided. If (as some do) you entertain dispiriting views of Ireland, recollect that any country, containing such elements as those which roused the genius of Grattan, never need despair. *Sursum corda.* Be not disheartened.

Go—go—my countrymen—and, within your social sphere, carry into practice those moral principles which Grattan so eloquently taught, and which he so remarkably enforced by his well-spent life. He will teach you to avoid hating men on account of their religious professions, or hereditary descent. From him you will learn principles which, if carried out, would generate a new state of society in Ireland. For it is not from a Senate, as some, or from the battle-field, as others, will tell you, that the regeneration of Ireland can arise. It must begin at home in our social life. It must spring from the domestic circle—from social affections expanded—from enmities disregarded—from views exalted beyond petty sectarianism—in short, from Irish-

men consenting to live and work together, and using, for their public purposes, none but humane and civilizing means. Go, then, and imitate the social example of our Grattan, for though to none shall it be given to obtain his genius, to copy his noble spirit is within the power of all. Let that spirit spread through society, and our lovely island will become, like the fame of our venerated countryman, not only a source of just national pride to ourselves, but an object of interest and respect to all mankind.

THE

SELECT SPEECHES

OF THE

RIGHT HONOURABLE

HENRY GRATTAN.

DECLARATION OF IRISH RIGHTS.

19*th April*, 1780.

On this day, came on the most important subject that ever had been discussed in the Irish Parliament: the question of independence, the recovery of that legislative power which, for centuries, Ireland had been so unjustly deprived of.

Her right to make laws for herself was first affected by the act of the 10th of Henry the Seventh, in a parliament, held at Drogheda, before the then Deputy, Sir Edward Poynings. It was there enacted, that no parliament should be holden in Ireland, until the Lord Lieutenant and Privy Council should certify to the King under the great seal of Ireland, the causes, considerations, and acts that were to pass; that the same should be affirmed by the King and council in England, and his license to summon a parliament be obtained under the great seal of England. This was further explained by the 3d and 4th of Philip and Mary, whereby any change or alteration, in the form or tenor of such acts to be passed after they were returned from England, was prohibited. Thus, by these laws, the English privy council got the power to alter or suppress, and the Irish parliament were deprived of the power to originate, alter, or amend.

By these acts, were the legislative rights of Ireland invaded; her judicial rights, however, remained untouched, till, in 1698, a petition and appeal was lodged with the House of Lords, of England, from the English society of the new plantation of Ulster, complaining of the Irish House of Lords, who had decided in a case between them and the Bishop of Derry. Upon this the English House of Lords passed an order declaring, that this appeal was *coram non judice;* to this order, fourteen reasons and answers were written by the celebrated Molyneux, and the appeal gave rise to his famous work, entitled "The Case of Ireland," which excited the hostility of the English House of Commons, and was burned by the hands of the common hangman!! The Irish House of Lords then

asserted their rights, passed resolutions, and protested against the English proceedings; thus matters remained until 1703, when came on the case of the Earl and Countess of Meath against the Lord Ward, who were dispossessed of their lands by a pretended order of the House of Lords in England, on which the Irish House of Peers adopted the former resolutions, asserting their rights, and restored possession to the Earl and Countess. In 1703, the appeal of Maurice Annesley was entertained in England, and the decree of the Irish House of Lords was reversed; and the English House of Lords had recourse to the authority of the Barons of the Exchequer in Ireland to enforce their order; the Sheriff refused obedience; the Irish House of Lords protected the Sheriff, and agreed to a representation to the King on the subject. This produced the arbitrary act of the 6th of George the First, which declared, that Ireland was a subordinate and dependent kingdom; that the King, Lords, and Commons of England had power to make laws to bind Ireland; that the House of Lords of Ireland had no jurisdiction, and that all proceedings before that Court were void. Under this act, and to such injustice, the Irish nation were compelled to submit, until the spirit of the present day arose, and that commanding power which the armed volunteers gave to the country, encouraged the people to rise unanimously against this usurped and tyrannical authority. The efforts of the nation to obtain a free trade; the compliance of the British Parliament with that claim; the British act passed in consequence thereof, which allowed the trade between Ireland and the British colonies and plantations in America and the West Indies, and the British settlements on the coast of Africa; had raised the hopes of the Irish people. The resolutions and proceedings of the volunteers, and the answers to their addresses by the patriotic members, had still further roused the people to a sense of their rights and their condition, and the hour was approaching which was to witness the restoration of their liberty. Mr. Grattan had, on a preceding day, given notice that he would bring forward a measure regarding the rights of Ireland; and in pursuance of that notice he rose and spoke as follows:

Sir, I have entreated an attendance on this day, that you might, in the most public manner, deny the claim of the British Parliament to make law for Ireland, and with one voice lift up your hands against it.

If I had lived when the 9th of William took away the woollen manufacture, or when the 6th of George the First declared this country to be dependent, and subject to laws to be enacted by the Parliament of England, I should have made a covenant with my own conscience to seize the first moment of rescuing my country from the ignominy of such acts of power; or, if I had a son, I should have administered to him an oath that he would consider himself as a person separate and set apart for the discharge of so important a duty; upon the same principle am I now come to move a declaration of right, the first moment occurring, since my time, in which such a declaration could be made, with any chance of success, and without aggravation of oppression.

Sir, it must appear to every person, that, notwithstanding the import of sugar and export of woollens, the people of this country are not satisfied—something remains; the greater work is behind; the

public heart is not well at ease;—to promulgate our satisfaction; to stop the throats of millions with the votes of Parliament; to preach homilies to the volunteers; to utter invectives against the people, under pretence of affectionate advice, is an attempt, weak, suspicious, and inflammatory.

You cannot dictate to those whose sense you are entrusted to represent; your ancestors, who sat within these walls, lost to Ireland trade and liberty; you, by the assistance of the people, have recovered trade, you still owe the kingdom liberty; she calls upon you to restore it.

The ground of public discontent seems to be, "we have gotten commerce, but not freedom:" the same power which took away the export of woollens and the export of glass may take them away again; the repeal is partial, and the ground of repeal is upon a principle of expediency.

Sir, expedient is a word of appropriated and tyrannical import; expedient is an ill-omened word, selected to express the reservation of authority, while the exercise is mitigated; expedient is the ill-omened expression of the Repeal of the American stamp-act. England thought it expedient to repeal that law; happy had it been for mankind, if, when she withdrew the exercise, she had not reserved the right! to that reservation she owes the loss of her American empire, at the expense of millions, and America the seeking of liberty through a sea of bloodshed; the repeal of the woollen act, similarly circumstanced, pointed against the principle of our liberty, present relaxation, but tyranny in reserve, may be a subject for illumination to a populace, or a pretence for apostacy to a courtier, but cannot be the subject of settled satisfaction to a freeborn, an intelligent, and an injured community. It is therefore they consider the free trade as a trade *de facto*, not *de jure*, a license to trade under the Parliament of England, not a free trade under the charters of Ireland, as a tribute to her strength; to maintain which, she must continue in a state of armed preparation, dreading the approach of a general peace, and attributing all she holds dear to the calamitous condition of the British interest in every quarter of the globe. This dissatisfaction, founded upon a consideration of the liberty we have lost, is increased when they consider the opportunity they are losing; for if this nation, after the death-wound given to her freedom, had fallen on her knees in anguish, and besought the Almighty to frame an occasion in which a weak and injured people might recover their rights, prayer could not have asked, nor God have furnished, a moment more opportune for the restoration of liberty, than this, in which I have the honour to address you.

England now smarts under the lesson of the American war; the doctrine of Imperial legislature she feels to be pernicious; the revenues and monopolies annexed to it she has found to be untenable; she lost the power to enforce it; her enemies are a host, pouring upon her from all quarters of the earth; her armies are dispersed; the sea is not hers; she has no minister, no ally, no admiral, none in whom she long confides, and no general whom she has not disgraced; the balance of her fate is in the hands of Ireland; you are not only her last connection, you are the only nation in Europe that is not her enemy. Besides, there does, of late, a certain damp and spurious supineness overcast her arms and councils, miraculous as that vigour which has lately inspirited yours;—for with you every thing is the reverse; never was there a parliament in Ireland so possessed of the confidence of the people; you are the greatest political assembly now sitting in the world; you are at the head of an immense army; nor do we only possess an unconquerable force, but a certain unquenchable public fire, which has touched all ranks of men like a visitation.

Turn to the growth and spring of your country and behold and admire it; where do you find a nation who, upon whatever concerns the rights of mankind, expresses herself with more truth or force, perspicuity or justice? not the set phrase of scholastic men, not the tame unreality of court addresses, not the vulgar raving of a rabble, but the genuine speech of liberty, and the unsophisticated oratory of a free nation.

See her military ardour, expressed not only in 40,000 men, conducted by instinct as they were raised by inspiration, but manifested in the zeal and promptitude of every young member of the growing community. Let corruption tremble; let the enemy, foreign or domestic, tremble; but let the friends of liberty rejoice at these means of safety and this hour of redemption. Yes; there does exist an enlightened sense of rights, a young appetite for freedom, a solid strength, and a rapid fire, which not only put a declaration of right within your power, but put it out of your power to decline one.—Eighteen counties are at your bar; they stand there with the compact of Henry, with the charter of John, and with all the passions of the people. "Our lives are at your service, but our liberties, we received them from God; we will not resign them to man." Speaking to you thus, if you repulse these petitioners, you abdicate the privileges of Parliament, forfeit the rights of the kingdom, repudiate the instruction of your constituents, bilge the sense of your country, palsy the enthusiasm of the people, and reject that good which not a minister, not a Lord North, not a Lord Buckinghamshire, not a Lord Hillsbo-

rough, but a certain providential conjuncture, or, rather, the hand of God, seems to extend to you: nor are we only prompted to this when we consider our strength, we are challenged to it, when we look to Great Britain. The people of that country are now waiting to hear the Parliament of Ireland speak on the subject of their liberty: it begins to be made a question in England whether the principal persons wish to be free: it was the delicacy of former Parliaments to be silent on the subject of commercial restrictions, lest they should show a knowledge of the fact, and not a sense of the violation; you have spoken out, you have shown a knowledge of the fact, and not a sense of the violation. On the contrary, you have returned thanks for a partial repeal made on a principle of power; you have returned thanks as for a favour, and your exultation has brought your charters as well as your spirit into question, and tends to shake to her foundation your title to liberty; thus you do not leave your rights where you found them. You have done too much not to do more; you have gone too far not to go on; you have brought yourselves into that situation, in which you must silently abdicate the rights of your country or publicly restore them. It is very true you may feed your manufacturers, and landed gentlemen may get their rents, and you may export woollen, and may load a vessel with baize, serges, and kerseys, and you may bring back again directly from the plantations, sugar, indigo, speckle-wood, beetle-root, and panellas. But liberty, the foundation of trade, the charters of the land, the independency of Parliament, the securing, crowning, and the consummation of every thing, are yet to come. Without them the work is imperfect, the foundation is wanting, the capital is wanting, trade is not free, Ireland is a colony without the benefit of a charter, and you are a provincial synod without the privileges of a parliament.

I read Lord North's proposition; I wish to be satisfied, but I am controlled by a paper, I will not call it a law, it is the sixth of George the First. (The paper was read.) I will ask the gentlemen of the long robe is this the law? I ask them whether it is not practice? I appeal to the judges of the land whether they are not in a course of declaring that the Parliament of Great Britain, naming Ireland, binds her? I appeal to the magistrates of justice whether they do not, from time to time, execute certain acts of the British Parliament? I appeal to the officers of the army whether they do not fine, confine, and execute their fellow-subjects by virtue of the Mutiny Act, an act of the British Parliament; and I appeal to this House whether a country so circumstanced is free? where is the freedom of trade? where is the security of property? where is the liberty of the people? I here,

in this Declamatory Act, see my country proclaimed a slave! I see every man in this House enrolled a slave! I see the judges of the realm, the oracles of the law, borne down by an unauthorized foreign power, by the authority of the British Parliament against the law! I see the magistrates prostrate, and I see Parliament witness of these infringements, and silent, (silent or employed to preach moderation to the people, whose liberties it will not restore)! I therefore say, with the voice of 3,000,000 of people, that, notwithstanding the import of sugar, beetle-wood, and panellas, and the export of woollens and kerseys, nothing is safe, satisfactory, or honourable, nothing except a declaration of right. What! are you, with 3,000,000 of men at your back, with charters in one hand and arms in the other, afraid to say you are a free people? Are you, the greatest House of Commons that ever sat in Ireland, that want but this one act to equal that English House of Commons that passed the Petition of Right, or that other that passed the Declaration of Right, are you afraid to tell that British Parliament you are a free people? Are the cities and the instructing counties, who have breathed a spirit that would have done honour to old Rome when Rome did honour to mankind, are they to be free by connivance? Are the military associations, those bodies whose origin, progress, and deportment have transcended, equalled at least, any thing in modern or ancient story; is the vast line of northern army, are they to be free by connivance? What man will settle among you? Where is the use of the Naturalization Bill?—What man will settle among you? who will leave a land of liberty and a settled government for a kingdom controlled by the Parliament of another country, whose liberty is a thing by stealth, whose trade a thing by permission, whose judges deny her charters, whose Parliament leaves every thing at random; where the chance of freedom depends upon the hope, that the jury shall despise the judge stating a British act, or a rabble stop the magistrate executing it, rescue your abdicated privileges, and save the constitution by trampling on the government, by anarchy and confusion.

But I shall be told, that these are groundless jealousies, and that the principal cities, and more than one half of the counties of the kingdom, are misguided men, raising those groundless jealousies.—Sir, let me become, on this occasion, the people's advocate, and your historian; the people of this country were possessed of a code of liberty, similar to that of Great Britain, but lost it through the weakness of the kingdom, and the pusillanimity of its leaders;—having lost our liberty by the usurpation of the British Parliament, no wonder we became a prey to her ministers; and they did plunder us with all

the hands of all the harpies, for a series of years, in every shape of power, terrifying our people with the thunder of Great Britain, and bribing our leaders with the rapine of Ireland. The kingdom became a plantation, her Parliament, deprived of its privileges, fell into contempt; and, with the legislature, the law, the spirit of liberty, with her forms, vanished. If a war broke out, as in 1778, and an occasion occurred, to restore liberty and restrain rapine, Parliament declined the opportunity; but, with an active servility and trembling loyalty, gave and granted, without regard to the treasure we had left, or the rights we had lost. If a partial reparation was made upon a principle of expediency, Parliament did not receive it with the tranquil dignity of an august assembly, but with the alacrity of slaves.

The principal individuals, possessed of great property but no independency, corrupted by their extravagance, or enslaved by their following a species of English factor against an Irish people, more afraid of the people of Ireland than the tyranny of England, proceeded to that excess, that they opposed every proposition to lessen profusion, extend trade, or promote liberty; they did more, they supported a measure which, at one blow, put an end to all trade; they did more, they brought you to a condition which they themselves did unanimously acknowledge a state of impending ruin; they did this, talking as they are now talking, arguing against trade as they now argue against liberty, threatening the people of Ireland with the power of the British nation, and imploring them to rest satisfied with the ruins of their trade, as they now implore them to remain satisfied with the wreck of their constitution.

The people thus admonished, starving in a land of plenty, the victim of two Parliaments, of one that stopped their trade, the other that fed on their constitution, inhabiting a country where industry was forbid, or towns swarming with begging manufacturers, and being obliged to take into their own hands that part of government which consists in protecting the subject, had recourse to two measures, which, in their origin, progress, and consequence, are the most extraordinary to be found in any age, or in any country, viz. a commercial and a military association; the consequence of these measures was instant, the enemy that hung on your shores departed, the Parliament asked for a free trade, and the British nation granted the trade but withheld the freedom;—the people of Ireland are, therefore, not satisfied; they ask for a constitution; they have the authority of the wisest men in this House for what they now demand. What have these walls, for this last century, resounded? The usurpation of the British Parliament, and the interference of the privy council. Have

we taught the people to complain, and do we now condemn their insatiability, because they desire us to remove such grievances, at a time in which nothing can oppose them, except the very men by whom these grievances were acknowledged?

Sir, we may hope to dazzle with illumination, and we may sicken with addresses, but the public imagination will never rest, nor will her heart be well at ease: never! so long as the Parliament of England exercises or claims a legislation over this country: so long as this shall be the case, that very free trade, otherwise a perpetual attachment, will be the cause of new discontent; it will create a pride to feel the indignity of bondage; it will furnish a strength to bite your chain, and the liberty withheld will poison the good communicated.

The British minister mistakes the Irish character; had he intended to make Ireland a slave, he should have kept her a beggar; there is no middle policy; win her heart by the restoration of her right, or cut off the nation's right hand; greatly emancipate, or fundamentally destroy. We may talk plausibly to England, but so long as she exercises a power to bind this country, so long are the nations in a state of war; the claims of the one go against the liberty of the other, and the sentiments of the latter go to oppose those claims to the last drop of her blood. The English opposition, therefore, are right; mere trade will not satisfy Ireland:—they judge of us by other great nations, by the nation whose political life has been a struggle for liberty; they judge of us with a true knowledge, and just deference, for our character: that a country enlightened as Ireland, chartered as Ireland, armed as Ireland, and injured as Ireland, will be satisfied with nothing less than liberty.

I admire that public-spirited merchant, (Alderman Horan,) who spread consternation at the Custom-house, and, despising the example which great men afforded, determined to try the question, and tendered for entry what the British Parliament prohibits the subject to export, some articles of silk, and sought, at his private risk, the liberty of his country; with him I am convinced it is necessary to agitate the question of right. In vain will you endeavour to keep it back, the passion is too natural, the sentiment too irresistible; the question comes on of its own vitality—you must reinstate the laws.

There is no objection to this resolution, except fears; I have examined your fears, I pronounce them to be frivolous. I might deny that the British nation was attached to the idea of binding Ireland; I might deny that England was a tyrant at heart; and I might call to witness the odium of North, and the popularity of Chatham: her support of Holland; her contributions to Corsica, and

the charters communicated to Ireland; but ministers have traduced England to debase Ireland; and politicians, like priests, represent the power they serve as diabolical, to possess, with superstitious fears, the victim whom they design to plunder. If England is a tyrant, it is you have made her so; it is the slave that makes the tyrant, and then murmurs at the master whom he himself has constituted. I do allow, on the subject of commerce, England was jealous in the extreme, and I do say it was commercial jealousy, it was the spirit of monopoly, (the woollen trade and the act of navigation had made her tenacious of a comprehensive legislative authority,) and having now ceded that monopoly, there is nothing in the way of your liberty except your own corruption and pusillanimity; and nothing can prevent your being free except yourselves. It is not in the disposition of England; it is not in the interest of England; it is not in her arms. What! can 8,000,000 of Englishmen, opposed to 20,000,000 of French, to 7,000,000 of Spanish, to 3,000,000 of Americans, reject the alliance of 3,000,000 in Ireland? Can 8,000,000 of British men, thus outnumbered by foes, take upon their shoulders the expense of an expedition to enslave you? Will Great Britain, a wise and magnanimous country, thus tutored by experience, and wasted by war, the French navy riding her Channel, send an army to Ireland, to levy no tax, to enforce no law, to answer no end whatsoever, except to spoliate the charters of Ireland, and enforce a barren oppression? What! has England lost thirteen provinces? has she reconciled herself to this loss, and will she not be reconciled to the liberty of Ireland? Take notice, that the very constitution which I move you to declare, Great Britain herself offered to America; it is a very instructive proceeding in the British history:—in 1778, a commission went out, with powers to cede to the thirteen provinces of America, totally and radically, the legislative authority claimed over her by the British Parliament, and the Commissioners, pursuant to their powers, did offer to all, or any, of the American States, the total surrender of the legislative authority of the British Parliament. I will read you their letter to the Congress. (Here the letter was read, surrendering the power as aforesaid.) What! has England offered this to the resistance of America, and will she refuse it to the loyalty of Ireland? Your fears then are nothing but an habitual subjugation of mind; that subjugation of mind which made you, at first, tremble at every great measure of safety; which made the principal men among us conceive the commercial association would be a war; that fear, which made them imagine the military association had a tendency to treason, which made them think a short money-bill would be a public convul-

sion; and yet these measures have not only proved to be useful, but are held to be moderate, and the Parliament that adopted them, praised, not for its unanimity only, but for its temper also. You now wonder that you submitted for so many years to the loss of the woollen trade, and the deprivation of the glass trade; raised above your former abject state in commerce, you are ashamed at your past pusillanimity; so when you have summoned a boldness which shall assert the liberties of your country—raised by the act, and re-invested, as you will be, in the glory of your ancient rights and privileges, you will be surprised at yourselves, who have so long submitted to their violation. Moderation is but a relative term; for nations, like men, are only safe in proportion to the spirit they put forth, and the proud contemplation with which they survey themselves. Conceive yourselves a plantation, ridden by an oppressive government, and every thing you have done is but a fortunate phrenzy; conceive yourselves to be what you are, a great, a growing, and a proud nation, and a declaration of right is no more than the safe exercise of your undubitable authority.

But, though you do not hazard disturbance by agreeing to this resolution, you do most exceedingly hazard tranquillity by rejecting it. Do not imagine that the question will be over when this motion shall be negatived. No! it will recur in a vast variety of shapes and diversity of places; your constituents have instructed you in great numbers, with a powerful uniformity of sentiment, and in a style not the less awful because full of respect. They will find resources in their own virtue, if they have found none in yours. Public pride and conscious liberty, wounded by repulse, will find ways and means of vindication. You are in that situation in which every man, every hour of the day, may shake the pillars of the state; every court may swarm with the question of right; every quay and wharf with prohibited goods; what shall the Judges, what the Commissioners, do upon this occasion? Shall they comply with the laws of Ireland, and against the claims of England, and stand firm where you have capitulated; shall they, on the other hand, not comply, and shall they persist to act against the law; will you punish them if they do so? will you proceed against men for not showing a spirit superior to your own? On the other hand, will you not punish them? Will you leave liberty to be trampled on by those men? Will you bring them and yourselves, all constituted orders, executive power, judicial power, and parliamentary authority, into a state of odium, impotence, and contempt; transferring the task of defending public right into the hands of the populace, and leaving it to the judges to break the laws, and to the people to assert them? Such would be the consequence of false moderation, of irritating timidity, of inflammatory palliatives, of the weak and corrupt

hope of compromising with the court, before you have emancipated the country.

I have answered the only semblance of a solid reason against the motion; I will remove some lesser pretences, some minor impediments; for instance, first, that we have a resolution of the same kind already on our Journals, it will be said; but how often was the great charter confirmed? not more frequently than your rights have been violated. Is one solitary resolution, declaratory of your rights, sufficient for a country, whose history, from the beginning unto the end, has been a course of violation?

The fact is, every new breach is a reason for a new repair; every new infringement should be a new declaration; lest charters should be overwhelmed with precedents to their prejudice, a nation's right obliterated, and the people themselves lose the memory of their own freedom.

I shall hear of ingratitude: I name the argument to despise it, and the men who make use of it: I know the men who use it are not grateful, they are insatiate; they are public extortioners, who would stop the tide of public prosperity, and turn it to the channel of their own emolument: I know of no species of gratitude which should prevent my country from being free, no gratitude which should oblige Ireland to be the slave of England. In cases of robbery and usurpation nothing is an object of gratitude except the thing stolen, the charter spoliated. A nation's liberty cannot, like her treasure, be meted and parcelled out in gratitude: no man can be grateful or liberal of his conscience, nor woman of her honour, nor nation of her liberty: there are certain unimpartable, inherent, invaluable properties, not to be alienated from the person, whether body politic or body natural. With the same contempt do I treat that charge which says, that Ireland is insatiable; saying, that Ireland asks nothing but that which Great Britain has robbed her of, her rights and privileges; to say that Ireland will not be satisfied with liberty, because she is not satisfied with slavery, is folly. I laugh at that man who supposes that Ireland will not be content with a free trade and a free constitution, and would any man advise her to be content with less?

I shall be told that we hazard the modification of the law of Poynings and the Judges' Bill, and the Habeas Corpus Bill, and the Nullum Tempus Bill; but I ask, have you been for years begging for these little things, and have not you yet been able to obtain them? and have you been contending against a little body of eighty men in Privy Council assembled, convocating themselves into the image of a parliament, and ministering your high office? and have you been

contending against one man, an humble individual, to you a Leviathan! the English Attorney-general, who advises, in the case of Irish bills, and exercises legislation in his own person, and makes your parliamentary deliberations a blank, by altering your bills or suppressing them? and have you not yet been able to conquer this little monster! Do you wish to know the reason? I will tell you, because you have not been a parliament, nor your country a people. Do you wish to know the remedy; be a parliament, become a nation, and these things will follow in the train of your consequence. I shall be told that titles are shaken, being vested by force of English acts; but in answer to that, I observe, time may be a title, acquiescence a title, forfeiture a title; but an English act of parliament certainly cannot: it is an authority, which, if a judge would charge, no jury would find, and which all the electors in Ireland have already disclaimed unequivocally, cordially, and universally. Sir, this is a good argument for an act of title; but no argument against a declaration of right. My friend, who sits above me, (Mr. Yelverton) has a Bill of Confirmation; we do not come unprepared to Parliament. I am not come to shake property, but to confirm property and restore freedom. The nation begins to form; we are moulding into a people; freedom asserted, property secured, and the army (a mercenary band) likely to be restrained by law. Never was such a revolution accomplished in so short a time, and with such public tranquillity. In what situation would those men who call themselves friends of constitution and of government have left you? They would have left you without a title, as they state it, to your estates, without an assertion of your constitution, or a law for your army; and this state of unexampled private and public insecurity, this anarchy raging in the kingdom for eighteen months, these mock moderators would have had the presumption to call peace.

I shall be told, that the judges will not be swayed by the resolution of this House, Sir; that the judges will not be borne down by the resolutions of Parliament, not founded in law, I am willing to believe; but the resolutions of this House, founded in law, they will respect most exceedingly. I shall always rejoice at the independent spirit of the distributors of the law, but must lament that hitherto they have given no such symptom. The judges of the British nation, when they adjudicated against the laws of that country, pleaded precedent, and the prostration and profligacy of a long tribe of subservient predecessors, and were punished. The judges of Ireland, if they should be called upon, and should plead sad necessity, the thraldom of the times, and above all, the silent fears of Parliament, they, no doubt, will be

excused: but when your declarations shall have protected them from their fears; when you shall have emboldened the judges to declare the law according to the charters, I make no doubt they will do their duty; and your resolution, not making a new law, but giving new life to the old ones, will be secretly felt and inwardly acknowledged, and there will not be a judge who will not perceive, to the innermost recess of his tribunal, the truth of your charters and the vigour of your justice.

The same laws, the same charters, communicate to both kingdoms, Great Britain and Ireland, the same rights and privileges; and one privilege above them all is, that communicated by Magna Charta, by the 25th of Edward the Third, and by a multitude of other statutes, "not to be bound by any act except made with the archbishops, bishops, earls, barons, and freemen of the commonalty," viz. of the parliament of the realm. On this right of exclusive legislation are founded the Petition of Right, Bill of Right, Revolution, and Act of Settlement. The King has no other title to his crown than that which you have to your liberty; both are founded, the throne and your freedom, upon the right vested in the subject to resist by arms, notwithstanding their oaths of allegiance, any authority attempting to impose acts of power as laws, whether that authority be one man or a host, the second James, or the British parliament!

Every argument for the house of Hanover is equally an argument for the liberties of Ireland: the Act of Settlement is an act of rebellion, or the declaratory statute of the 6th of George the First an act of usurpation; for both cannot be law.

I do not refer to doubtful history, but to living record; to common charters; to the interpretation England has put upon these charters; an interpretation not made by words only, but crowned by arms;—to the revolution she had formed upon them, to the king she has deposed, and to the king she has established; and above all, to the oath of allegiance solemnly plighted to the house of Stuart, and afterwards set aside, in the instance of a grave and moral people absolved by virtue of these very charters.

And as any thing less than liberty is inadequate to Ireland, so is it dangerous to Great Britain, we are too near the British nation, we are too conversant with her history, we are too much fired by her example, to be any thing less than her equal; any thing less, we should be her bitterest enemies—an enemy to that power which smote us with her mace, and to that constitution from whose blessings we were excluded: to be ground as we have been by the British nation, bound by her parliament, plundered by her crown, threatened by her

enemies, insulted with her protection, while we returned thanks for her condescension, is a system of meanness and misery which has expired in our determination, as I hope it has in her magnanimity.

There is no policy left for Great Britain but to cherish the remains of her empire, and do justice to a country who is determined to do justice to herself, certain that she gives nothing equal to what she received from us when we gave her Ireland.

With regard to this country, England must resort to the free principles of government, and must forget that legislative power which she has exercised to do mischief to herself; she must go back to freedom, which, as it is the foundation of her constitution, so is it the main pillar of her empire; it is not merely the connection of the crown, it is a constitutional annexation, an alliance of liberty, which is the true meaning and mystery of the sisterhood, and will make both countries one arm and one soul, replenishing from time to time, in their immortal connection, the vital spirit of law and liberty from the lamp of each other's light; thus combined by the ties of common interest, equal trade and equal liberty, the constitution of both countries may become immortal, a new and milder empire may arise from the errors of the old, and the British nation assume once more her natural station—the head of mankind.

That there are precedents against us I allow—acts of power I would call them, not precedents; and I answer the English pleading such precedents, as they answered their kings when they urged precedents against the liberty of England, such things are the weakness of the times; the tyranny of one side, the feebleness of the other, the law of neither; we will not be bound by them; or rather, in the words of the declaration of right, "no doing judgment, proceeding, or any wise to the contrary, shall be brought into precedent or example." Do not then tolerate a power—the power of the British Parliament over this land, which has no foundation in utility or necessity, or empire, or the laws of England, or the laws of Ireland, or the laws of nature, or the laws of God,—do not suffer it to have a duration in your mind.

Do not tolerate that power which blasted you for a century, that power which shattered your loom, banished your manufactures, dishonoured your peerage, and stopped the growth of your people; do not, I say, be bribed by an export of woollen, or an import of sugar, and permit that power which has thus withered the land to remain in your country and have existence in your pusillanimity.

Do not suffer the arrogance of England to imagine a surviving hope in the fears of Ireland; do not send the people to their own resolves for liberty, passing by the tribunals of justice and the high court of

parliament; neither imagine that, by any formation of apology, you can palliate such a commission to your hearts, still less to your children, who will sting you with their curses in your grave for having interposed between them and their Maker, robbing them of an immense occasion, and losing an opportunity which you did not create, and can never restore.

Hereafter, when these things shall be history, your age of thraldom and poverty, your sudden resurrection, commercial redress, and miraculous armament, shall the historian stop at liberty, and observe, —that here the principal men among us fell into mimic trances of gratitude,—they were awed by a weak ministry, and bribed by an empty treasury,—and when liberty was within their grasp, and the temple opened her folding doors, and the arms of the people clanged, and the zeal of the nation urged and encouraged them on, that they fell down, and were prostituted at the threshold.

I might, as a constituent, come to your bar, and demand my liberty. I do call upon you, by the laws of the land and their violation, by the instruction of eighteen counties, by the arms, inspiration, and providence of the present moment, tell us the rule by which we shall go,—assert the law of Ireland,—declare the liberty of the land.

I will not be answered by a public lie, in the shape of an amendment; neither, speaking for the subjects' freedom, am I to hear of faction. I wish for nothing but to breathe, in this our island, in common with my fellow-subjects, the air of liberty. I have no ambition, unless it be the ambition to break your chain, and contemplate your glory. I never will be satisfied so long as the meanest cottager in Ireland has a link of the British chain clanking to his rags: he may be naked, he shall not be in iron; and I do see the time is at hand, the spirit is gone forth, the declaration is planted; and though great men should apostatize, yet the cause will live; and though the public speaker should die, yet the immortal fire shall outlast the organ which conveyed it, and the breath of liberty, like the word of the holy man, will not die with the prophet but survive him.

I shall move you, "That the King's most excellent Majesty, and the Lords and Commons of Ireland, are the only power competent to make laws to bind Ireland."

CATHOLIC QUESTION.

February 20th, 1782.

On this day the House went into a committee on the bill, when the privileges proposed to be restored to the Roman Catholics were gone into at length: they went, 1st, to the enjoyment of property; 2dly, the free exercise of their religion; 3dly, education; 4thly, marriage; 5thly, self-defence. The first amendment moved was, That Catholics should be empowered to take, purchase, hold, and inherit estates in fee simple: this clause was opposed by Mr. Rowley, Mr. St. George, and Mr. Wynn; it was supported by Mr. Denis Daly, Sir Hercules Langrishe, and Mr. Flood, who said, that although the Catholics should be allowed to purchase lands, they should not be allowed to possess any power in the state; that the House should distinguish between the rights of property and the rights of power; "though I would extend toleration to the Roman Catholics, yet I would not wish to make a change in the state, or enfeeble the government."

Mr. GRATTAN said, I object to any delay which can be given to this clause. We have already considered the subject on a larger scale, and this is but a part of what the clause originally contained. We have before us the example of England, who, four years ago, granted Catholics a right of taking land in fee. The question is merely, whether we shall give this right or not; and if we give it, whether it shall be accompanied by all its natural advantages. Three years ago, when this question was debated in this House, there was a majority of three against granting Catholics estates in fee, and they were only allowed to take leases for 999 years. The argument then used against granting them the fee was, that they might influence electors. It has this day been shewn, that they may have as effectual an influence by possessing leases of 999 years as they can have by possessing the fee. At that time we might have been somewhat prejudiced against granting Roman Catholics estates in fee; but their conduct since that period should fully convince us of their true attachment to their country. When this country had resolved no longer to crouch beneath the burden of oppression that England had laid upon her, when she armed in defence of her rights, and a high-spirited people demanded a free trade, did the Roman Catholics desert their countrymen? No; they were found among the foremost. When it was afterwards thought necessary to assert a free constitution, the Roman Catholics displayed their public virtue; they did not endeavour to take advantage of your situation; they did not endeavour to make terms for themselves, but they entered frankly and heartily into the cause of their country, judging by their own virtue that they might depend upon your generosity for their reward: but now, after you have

obtained a free trade, after the voice of the nation has asserted her independence, they approach this House as humble suppliants, and beg to be admitted to the common rights of men. Upon the occasions I have mentioned, I did carefully observe their actions, and did then determine to support their cause whenever it came before this House, and to bear a strong testimony of the constitutional principles of the Catholic body. Nor should it be mentioned as a reproach to them, that they fought under the banner of King James, when we recollect that before they entered the field, they extorted from him a magna charta, a British constitution.

In the reign of Charles the First, a committee, consisting of Papists, Protestants, and Presbyterians, were sent from this country to prosecute Lord Strafford. We find them perfectly agreeing in the object of their mission, and, indeed, when men begin to differ upon principles of religion, it is because they have no other great object to engage their attention. We cannot give the people of Ireland a *common faith*, but we can give them a *common interest*.

In 1779, when the fleets of Bourbon hovered on our coasts, and the Irish nation roused herself to arms, did the Roman Catholics stand aloof? or did they, as might be expected from their oppressed situation, offer assistance to the enemy? No; they poured in subscriptions for the service of their country, or they pressed into the ranks of her *glorious volunteers*.

It has been shewn that this clause grants the Roman Catholics no new power in the state. Every argument, therefore, which goes against this clause, goes against their having leases for 999 years; every argument which goes against their having leases of 999 years, goes against their having leases at all; and every argument which goes against their *having property*, goes against their having *existence* in this land.

The question is now, whether we shall grant Roman Catholics the power of enjoying estates—whether we shall be *a Protestant settlement* or *an Irish nation?* whether we shall throw open the gates of the temple of liberty to all our countrymen, or whether we shall confine them in bondage by penal laws? So long as the penal code remains, we never can be a great nation. The penal code is the shell in which the Protestant power has been hatched, and now it has become a bird, it must burst the shell or perish in it.

In Holland, where the number of Roman Catholics is comparatively small, the toleration of their religion is an act of mercy to them; but in this country, where they form the great bulk of the inhabitants, it is an act of policy, an act of necessity, an act of incorporation. The

question is not, whether we shall shew mercy to the Roman Catholics, but whether we shall mould the inhabitants of Ireland into a *people:* for so long as we exclude Catholics from natural liberty and the common rights of men, we are not a *people: we may triumph over them, but other nations will triumph over us.* If you love the Roman Catholic, you may be sure of a return from him; but if you treat him with cruelty, you must always live in fear, conscious that you merit his just resentment. Will you then go down the stream of time, the Roman Catholic sitting by your side unblessing and unblessed, blasting and blasted? or will you take off his chain, that he may take off yours? will you give him freedom, that he may guard your liberty?

In Ireland, as connected with England, the indulgence we wish to give to Catholics can never be injurious to the Protestant religion,—that religion is the religion of the state, and will become the religion of Catholics if severity does not prevent them. *Bigotry may survive persecution, but it never can survive toleration.* But gentlemen who speak of the enormities committed by Catholics groaning under a system of penal laws, do not take into account the enlightening and softening of men's minds by toleration, nor do they consider that as they increase in wealth they will increase in learning and politeness.

I give my consent to the clause in its *principle, extent,* and *boldness;* I give my consent to it as the most likely means of obtaining a victory *over the prejudices of Catholics, and over our own;* I give my consent to it, because I would not keep two millions of my fellow subjects in a state of slavery, and because, as the mover of the *declaration of rights,* I would be ashamed of giving *freedom* to but six hundred thousand of my countrymen, when I could extend it to two millions more.

RIGHTS OF IRELAND.

22nd February, 1782.

On this day Mr. Grattan, in pursuance of the notice which he had given, brought forward his motion for an address to His Majesty, declaring the rights of Ireland. [It is to be regretted, that the commencement of this speech is wanting.]

Sir, Before Ireland goes into her title, let us hear the title of England; for the question is not, whether Ireland has a right to be free, but whether Great Britain has a right to enslave her: when the latter country asks, what right have the Irish to make law for themselves?

Ireland will not answer, but demands, what right has England to make laws for Ireland!—from nature she has none. Nature has not given any one nation a right over another. Has she that right from covenant—let her shew the covenant. In what roll do we find it? in what history is it recorded? there is no such thing in legislation.—Ireland, in the reign of Henry the Seventh, gave up her propounding and deliberative power: so it has been construed. Ireland, in the reign of King Charles the Second, by granting customs and excise in perpetuity, gave up in a degree the purse of the nation, but Ireland never gave up her legislation; there is a covenant most certainly—a covenant recognised by lawyers, and set forth by historians, but it is a covenant (with Henry the Second) that secures to the King the government, and to Ireland the laws, that is to say, the liberties of England, in which is included a right to Ireland, not to be bound without her own consent, and to have her own legislative assemblies;—this covenant, then, excludes the English legislature: and thus, the title of the King precludes the claim of the Parliament: there is, then, no covenant regarding the legislature of England, except one, which is against her: are we then to search for her right in usage? her act sets forth no such title; but usage is a continuation of precedent exercised from the beginning, and exercised without opposition or counter claim from a people in a condition to oppose, and whose laws on the subject of this right are silent. Where is such usage? England puts forth two great instances, which she denominates laws; the *statutum Hiberniæ* is one, the *Ordinationes*, 17th of Edward the First, the other: there are no such laws: these instruments are orders of the King, touching things to be done in Ireland in consequence of her adoption of English laws, by her covenant with Henry the Second; they are evidence of compact, and the reverse of evidence of conquest. The *statutum Hiberniæ* was as follows: the judges of Ireland conceiving a doubt regarding inheritances devolved on sisters, viz. whether the younger should hold under the elder, and do homage to her, or hold under the lord, and do homage to him; the chief justice of Ireland despatched four knights to the King of England, to bring a certificate from thence of the practice there used; whereon the King sent his rescript to inform the chief justice what the law and custom was in England: the rescript concludes, "that the said custom that be used in this case be proclaimed throughout our dominion of Ireland, *teste meipso.*" What they call a statute is nothing more than this rescript. The other instance is equally erroneous. The *ordinatio pro statu Hiberniæ* was never received as law. The first article of the *ordinatio* prohibits the justices or others of the King's servants to purchase

land in Ireland; but that has been ever otherwise, besides, it is no act of parliament, but an ordinance of the King and Privy Council, which is evident from the preamble, and from this fact, that Edward held no parliament in England in the year in which that ordinance was made. Thus the two first great precedents fail, and the case stumbles at the outset. England has mistaken orders of government for acts of parliament.

With diminished authority she then resorts to certain of her laws, which in the generality of their expression cover Ireland, the former instances were not laws, and these laws are not precedents; they are principally the acts of appeals, Henry the Eighth; act of first fruits, Henry the Eighth; act of faculties, Henry the Eighth; act of ecclesiastical jurisdiction, Elizabeth. But these acts were never put in force in Ireland, nor was any attempt made for that purpose; on the contrary, because they were not in force in Ireland, and because their power did not extend to that country, it was necessary that the Parliament of Ireland should pass acts to the same purpose, and such acts were passed accordingly, and form a precedent, not for the claim of England, but an argument and precedent against it; for the general words of these statutes had no operation in Ireland, and for no other reason than because the English Parliament had no jurisdiction: the general terms of her acts stood controled by the limits of her power, and the non-execution of the acts is a cotemporary evidence against her jurisdiction, and so was the point decided. The case was as follows: the 1st of Elizabeth gave a power to erect a court of high commission, the general words of the acts extended to Ireland, but no court of high commission was erected there; then followed the Irish act of the 2nd of Elizabeth, which gave the Queen the same power in Ireland, and a court of high commission was erected accordingly; then followed the bill of rights, which put down all such courts: the bill of rights is declaratory, and its terms universal. A person was deprived of his bishoprick in Ireland, by virtue of a court of high commission, sitting after the bill of rights had passed; and the question was, whether such English bill acted on Ireland, or repealed the Irish act? the judges and chancellor of Ireland determined that it did not: thus it appears, that an English statute, however general in its terms, does not act on Ireland, and for no other reason, but, because the English Parliament is not her legislature: she next produces an order of acts which passed in the reign of the Edwards, and which did bind Ireland: but these are not acts of the English Parliament, but of the English and Irish Parliament sitting in conjunction, that is to say, with members sent to England to represent Ireland: there are writs extant to that pur-

pose. Now acts that passed conjointly, do not prove that the English Parliament has a right to pass acts for Ireland separately; they prove the contrary,—they prove that when it was intended to bind Ireland, it was necessary to send for Irish representatives; and here again, the instances she quotes are authorities against her: next advances a description of English acts, which in the opinion of lawyers, though not adopted by Ireland, do bind her: they are acts declaratory of the common law of England, which Ireland by her compact with Henry the Second, adopted, and of which she received the interpretation from time to time from England, not as legislative provisions, but as judicial decisions; and these interpretations obtain, not by the authority of the English Parliament or English courts, but of the Irish assembly that passed the compact adopting those English laws: then is introduced another description of English statutes, wherein Ireland is specially named. The principal are, the 4th of Henry the Fifth, relative to Irish servants; the 1st of Henry the Sixth relative to ecclesiastical benefices; the 19th of Henry the Seventh, relative to Perkin Warbeck's confederates; the 8th of Henry the Seventh, regarding tithe; and the 2nd of Henry the Sixth, or the staple act: you will observe that these are the only ancient precedents set forth, that the latter instances are practices which require to be supported by precedents; they are proceedings against a country exhausted, they are not in themselves precedents; they are not, as Vaughan absurdly suggests, their own precedents; these, I say, are not precedents, and the ancient precedents are too few to amount to a usage; besides, it does not appear that they were carried into execution, and it does appear they were denied by Ireland: there are five protests against their legality; there is the Irish act of the 10th of Henry the Fourth, declaring that no law should be of force in Ireland until it should be confirmed by the Irish Parliament; there is the 29th of Henry the Sixth, declaring that no act should be of force in Ireland unless it was confirmed by the Irish Parliament. You know the early rolls of Ireland are lost, but the exemplification of these acts were found in the treasury of Waterford, and cannot be questioned, and do exclude expressly the Parliament of England, and settle the case, even though they stood alone; add to these their wonted claim and their protest; there is also the act of faculties in the reign of Henry the Eighth, which was as follows:

"This your Grace's realm, recognizing no superior under God but your Grace, hath been, and yet is free from subjection to any man's laws, but such as have been devised and ordained within this realm, or to such other as, by sufferance of your Grace and your progenitors,

the people of this realm have taken at their free liberty by their own consent." What now becomes of precedent? there is the declaration of right, their counter-claim by the House of Commons in Ireland, declaring that His Majesty's subjects in Ireland are a free people, and to be governed only according to the common law of England, and statutes made and established by Parliament in this kingdom of Ireland, and according to the lawful customs used in the same; there is the protest of the lords of Ireland in 1721, with five instruments of counter-claim—and these, *protestations* from a people unable to resist.

The few instances of ancient acts naming Ireland, do not amount to a usage, and therefore I submit that England has not made out her title by nature or by contract; she has made out no title; she has not put Ireland upon her case: and we might here stop, but we choose to go on, and we observe, that three of the instruments we have stated among these protests, are acts of parliament; they are not evidence of the law, but the law: the Parliament that declares the law, makes it: and what is that law? viz. it declares that no statute has force in Ireland until confirmed by the Irish Parliament. What now becomes of the precedents? supposing that they were in point, which they are not; supposing they were numerous and amounted to a usage: yet precedent cannot repeal act of parliament; but act of parliament sets aside precedent: I say, the claim of England is then set aside by the authority of Parliament; moreover, you will observe, that the Irish acts referred to, namely, the 10th of Henry the Fourth, and the 29th of Henry the Sixth, were before most of the precedents quoted, and one of the acts before any usage is pretended or could have existed; besides, the common law of England was introduced into Ireland the 9th of King John, that is before any precedent.—But Parliament, or such a legislative assembly, is a part of the common law, and two parliaments are against the common law, but these precedents cannot set aside the common law, no more than it can repeal the statute. So that the claim of England is not a title established by usage, and then set aside by Irish statute, but an attempt to overturn existing statutes, acts of parliament, by acts of power, and to set up violation in the place of law. I might stop here, but Ireland is not confined to the statutes I have mentioned; she has other titles to her freedom in abundance; and first, she has the original compact of Henry the Second with the Irish Princes—giving to Henry the Crown—to the Princes their governments, and to the Irish settlers the English laws; the evidence of that compact are the two historians Gerald Cambrensis and Mathew Paris, the latter of whom was present when it was made:

the matter of that compact was, that Ireland should possess the laws and customs of England; and this convention was confirmed by the solemnity of an oath, *leges Angliæ gratanter acceptæ et juratoria solemnitate confirmatæ.* Other compacts between kings and their people are not to be found: the compact of England with William the First does not appear to exist in form, and is founded justly, and fairly I think, on a principle that the Crown is a commission, but the Irish compact is an historic transaction: And what is the compact? the laws of England: And what were the laws of England at that time? the laws of the Confessor, the laws which Magna Charta declared, and among them, the great law of liberty, namely, to be bound only by your own assemblies. Then follows the charter of John, and then Magna Charta, the first of Henry the Third, 1216, and in this it is recited, "the city of Dublin shall have her ancient privileges, and all towns, and cities, and boroughs, their free customs." What liberties? what free customs? Was the power of the legislature of another country to shut up their harbours and stop their commerce—one of their free customs? "The King shall not take aids but by the consent of the realm:" then the British Parliament cannot tax Ireland. Such is the 29th of the great charter, such the 25th of Edward the First, such the 27th, such the 34th of the same, acts which Ireland adopted after the charter; the 29th of the great charter says, "no freeman shall be taken or disseized of his freehold or free custom, or be outlawed, banished, or destroyed; nor shall the King pass upon him but by the lawful judgment of his peers and the law of the land."

Was the authority of the English Parliament at this time, the time of the charter of Henry the Third, the law of Ireland? Where is the law of conquest now? I appeal to the guilty spirit of the Earl of Strafford, who argued that the word *conquest* used in the act of the Irish Parliament, was a legislative provision, enacting the right of conquest by the authority of Parliament. All these acts amount to this position, that the subject who claims these provisions shall not be taxed but by his own parliament or legislature, nor affected in property, life, or limb, but by the laws of his own country. The British Parliament then cannot punish you; it cannot fine you; it cannot tax Ireland; it cannot punish Ireland: then it cannot legislate for Ireland. You will observe that the rights and privileges above mentioned are not securities against the King only, they are certain properties annexed by the laws of these countries to the person of the subject; he is clothed with immunities and privileges: the words are possessive; he is protected against royal oppression, and he walks the conscious proprietor of the great charter. These laws form

a condition for the subject, irreconcilable to the law of conquest, and utterly incompatible with what is set up under pretence of that law—the power of the British Parliament over Ireland.

There is another act I wish to mention; it is the 34th of Edward the First: "all clerks and laymen shall have their liberties as when they had them the best." Was the power of the English Parliament, that is, of another country over us, our best laws? Was conquest our best law? And do not imagine that this act is inoperative because general, or that a franchise need be penned with the subtilty of a penal law; indeed, the Attorney-General of Charles the First thought so, and when he argued against the liberties of the people of England at a conference with the Lords, on the petition of right, said that the statutes of the great charter and other franchises are conceived in general to be expounded, that is to say, to be done away by precedents: but he lived to feel, in his own impeachment, the vanity of that argument, and found the laws of his country, which he imagined dead to her protection, were alive to his punishment.

I have mentioned certain laws and charters in support of the freedom of Ireland; are they the whole? no, there are more of them, namely, all the laws by which England claims her liberty; they were enacted in Ireland by the 10th of Henry the Seventh. You will observe, that the petition and declaration of rights were declaratory of the ancient privileges of England, and that by the Irish act of the 10th of Henry the Seventh, all those are communicated to Ireland; and I beg to set forth these rights and privileges, together with those mentioned before, not only as instruments of freedom, but links of connexion. Ireland has another title in support of her liberty, a Parliament of her own. Parliament is exclusive legislature, it is so *ex vi termini;* such is the construction by England herself; the *modus tenendi parliamentum* is in both countries the same; but it is not necessary to establish the *modus* in order to ascertain the power: the competency of the Parliament of Ireland stands on the same base within this realm as that of the English Parliament within the realm of Great Britain. Like that of England, our legislature is composed of King, Lords, and Commons; but the word king is exclusive, the word lords exclusive, and the word commons exclusive; when you say you are governed by a king, you mean one king, when you say you are governed by a parliament, you mean one parliament: when the judges said that the laws of England did not extend to Ireland because she had a Parliament of her own, they said by necessary construction, that the English legislature was not her parliament: it is true, if the English legislature chose to name Ireland and usurp legis-

lative authority, the judge cannot question the legislature of his own country; but such a proceeding does not become a matter of right, because the judge cannot relieve against it.

I have shown the claim of England is not a case of precedent; violation is not legislation; robbery unpunished does not repeal the decalogue; precedent cannot prevail against an act of parliament; it is a *parva consuetudo*, not a law; and a course of precedent is a course of violation. Could precedent repeal the great charter? it was thirty times violated; but such violation did not cancel the great charter, but proved so many challenges to re-affirm, re-instate, and glorify that inviolable instrument of public liberty. The reign of Henry the Eighth was a precedent against the privilege of Parliament; forced loans had their precedents; ship money had its precedents. Charles the First imposed a loan by his own authority; five gentlemen refuse to pay it; they are imprisoned by a warrant from the council; they are brought up on their *habeas corpus;* they produce six laws beside the charter in their favour: the judges rely on precedent, and remand the prisoners: these judges despised the old laws to which they and their predecessors were sworn, and stood on precedents on which those predecessors were perjured; but these franchises survived those pliant judges, and afterwards sat in judgment upon them, and left, in their punishment, a precedent better than their example—the triumph of the law over the perjury of the judges. What has been the conduct of the people of England on the subject of precedent? You are armed with her laws, be animated by her example: her declaration of rights, after reciting precedents against the liberty of the subject, says, "all such doings, and so forth, shall be utterly void:" her great charter had set forth that any judgment given to the contrary shall be utterly void; she formed her petition of right upon her birth-right—your birth-right against precedent; she formed her declaration of right on the same ground, she considered the right of kings as defeasible, and the birth-right of the subject as indefeasible, and she deposed a king who had, under the authority of precedent and adjudication, invaded the indefeasible right of the subject, out of which right she formed not only a revolution but a dynasty, that had and has no other foundation than that which depends on the abolishment of every arbitrary maxim in church and state—the venal judgment, the violent precedent, and the barefaced impudence of the law of conquest. Has then the birth-right of the British subject—your birth-right—been sufficient against precedent? (the precedent of the Plantagenets, the precedent of the Tudors, the precedent of the Stuarts,) to form a petition of right, a declaration of right, a revolution, cancel

the oath of allegiance, depose James, establish William, royalize the house of Hanover? has our common birth-right done all this for England, and given security to her meanest subject, and clothed her beggar with his sturdiness? and has it left Ireland naked, subject to be bound without your consent, taxed without your consent, with your commerce restricted, an independent army, and a dependent parliament, and your property adjudged by the decisions of another country?

We have done with precedent. She then resorts to authority; to what authority? to her judges. To do what? to repeal acts of parliament by interpretation. What act? Magna Charta—the act that forms the security of the realm. I respect the judges; but in this case I object to their authority, first, because they are partial, being of the country whose power they are to discuss; secondly, because they are dependent, being punishable by the Parliament whose claims they are to arbitrate; thirdly, because they are incompetent, being, by their office, obliged to pronounce the law as Parliament declares; fourthly, because they are inadmissible, being in this case called upon to repeal an act of parliament under the colour of interpretation; the great charter, the 10th of Henry the Fourth, the 29th of Henry the Sixth, the act of faculties, do not want an interpreter; these say, no English statute shall be executed in Ireland till confirmed by the Irish Parliament—no Irish subject to be bound by Statutes except ordained within the realm; to say they may, is to repeal, not to interpret; such explanation is violation, not interpretation, and the judge not an authority, but an offender; besides, the judges are bad arbiters of public liberty; there is no act of power for which you have not a precedent, nor any false doctrine for which you have not an adjudication. Lord Bacon maintained a dispensing power, Lord Coke maintained a dispensing power, Lord Chief Justice Fleming affirmed the power of the King to lay port duties, Judge Blackstone maintained the power of the House of Commons to disqualify by the vote of its own body, when the Attorney-General of Charles the First filed an information against three members of Parliament for their speeches in the House of Commons; the judges of the King's Bench fined and confined them all: there is no adjudication which the judges of England can make against Ireland, that they have not made against their own country: now, as the people of England have disregarded such authority when urged against their own liberties, so shall we disregard the same authority when urged against ours: we cannot allow England to plead her magna charta against the authority of her judges, and set up the authority of her judges against the magna charta of Ireland; nor must she answer her judges with the principles of the

revolution, and answer Ireland with the principles of the jacobite; for neither judgments, nor judges' opinions, nor precedents, are laws; still less can they repeal laws, still less franchises, and least of all, charters: these things read themselves without a judge, and in despite of him; they put forth a subterranean voice even against kings, and, though buried for ages, like the blood of the murdered man, they rise up in judgment, and call for justice.

Let them now produce their judges. There are four remarkable adjudications on this subject;—one has been against us, and three have been in our favour: the one against us, is the case of the staple act, the English act of the 2nd of Henry the Sixth; it was a case where Ireland was specially named and forbidden to export woollen to Calais; the first decision adjudged that Ireland was not bound by this act; the decision was made in the time of Richard the Third by all the judges of England assembled in the Exchequer Chamber; this case afterwards, in the reign of Henry the Seventh, was, by Lord Chief Justice Hussey, decided against us, his brethren not much dissenting; the reporter (Brooke) doubts the legality of his opinion, and Lord Coke approves of the contrary opinion, namely, of the original determination of the judges assembled in the Exchequer Chamber. Under these circumstances stands the decision which is against us: of the three decisions which were for us, I have stated one already (the case of the Court of High Commission in Ireland); another was the case of a patent given to one Pilkington, of an office in Ireland, which he discharged by deputy. *A.* got a patent for the same office, and Pilkington brought a *scire facias* to the court in England, 20th of Henry the Sixth against *A.*, to show cause why the patent should not be repealed. *A.* pleaded that the Irish Parliament had by an act required that the said office should be discharged in person, or forfeited, and then he prescribed for the Irish Parliament, and the prescription was allowed. The third decision is that of the judges of Ireland on queries put to them by the Lords at the request of the Commons; the first query was as follows: Whether the subjects of Ireland be a free people, and to be governed only by the common laws of England and statutes of force in this kingdom? To which query all the judges answered in the affirmative: they point out where the common law, in some instances, differs from that of England, and where equity interferes; but with respect to the question, whether the subjects of Ireland be a free people, to be bound only by the common laws of England, and the Irish statutes, their assent is unqualified: such is the answer; and this the answer of the seven judges of Ireland given in writing with their names affixed. The other authorities are the opinions of judges given

in their books; one of these opinions is that of Mr. Justice Blackstone; a very considerable name: but what are his arguments? what has this oracle pronounced? namely, that the Parliament of England has settled her own right by her own *ipse dixit:* she has settled the matter, he says, by the declaratory act of the 6th of George the First; certainly she has settled the matter for this Rhadamanthus; but his remark proves only, that the Parliament of England had authority over her judge, but it does not prove that she had authority over Ireland: certainly the judge cannot question the legislature, and therefore ought not in such a case to be an arbiter, and of course is not an authority, having settled the question by the authority of Parliament. He adds his own reasons: they are worse than that authority: Ireland, he says, is a kind of colony planted by England, and then he rests the right of England on conquest: to which we answer, she is not a colony, she is not a kind of colony; that she was not planted by England, that she was not conquered, and that, if she were, she has compacts, charters, and laws to do away what is called the right of conquest. I must observe, this grave and learned judge does not in this case exert himself within his own science, craft, or mystery; he speaks on the history of Ireland and the law of nations, and is erroneous in both. Next is introduced the thunderbolt of the law, the English Minos—Lord Coke;—a great authority, a friend to liberty, and the principal framer of the Bill of Rights; but this Leviathan does not combat here in his own waters; he moves in another element; and, though in every element portentious and prepollant, is not omnipotent here: he declares that Ireland is not bound by the English Parliament, and gives his reasons, viz., because she has a parliament of her own, and does not send representatives to the Parliament of England; and then, he adds, not bound "except when she is especially named;" which does not, however, remove the force of his reason, but leaves it to act against the exception as well as against the general proposition, for she has not, when named, a parliament the less, nor a representative the more: he then quotes a precedent—it is where England bound Ireland when Ireland sent representatives to England: and he infers from thence, that England can bind Ireland when she *does not;* and, finally, he rests his opinion on a law which goes to overturn the liberty of his own country as well as of ours—the law of conquest. So is Vaughan: he sets in the gulf in which his learned brethren, the other lights of the law, are extinguished;—the law of conquest: so are they all;—they all rest on this law.

I have shown that England has no title by the law of nature, no title by the law of covenant, no title by the law of usage; the best

authorities, Locke, Burlemachi, Hooker—independent philosophers—better authority than dependent judges, have pronounced it so. Will she claim by conquest? It only extends to a certain description of the generation conquered, and it is extinguished by pacts, charters, and laws; let me add, that Ireland was not conquered, and supposing her to have been so, I have produced pacts, charters, and laws innumerable. Further, I beg to say, that the authorities quoted, even those quoted against us, refute the idea of conquest. The judges in Pilkington's case, who allow the prescription for the Irish Parliament, give up the idea of conquest. My Lord Coke himself, who affirms that Ireland has a parliament of her own, precludes the idea of conquest; the seven judges of Ireland, who acknowledged that the Irish were a free people, and to be governed only by the common law of England, and the statutes of Ireland, preclude the idea of conquest. Henry the Second, who professed to take Ireland by the grant of the Pope, renounced thereby the idea of conquest. He made a covenant with the Irish chieftains; they acknowledged him their sovereign, and he confirmed to them their petty governments. He made a covenant with the English settlers, they swearing allegiance to him, and he communicating to them the laws and liberties of England.

"Nothing obtained except in a just war; no right over the posterity of the conquered." Such is Locke. "Conquest cannot give title; it is a means to obtain; and that title cannot be good except by the consent, express or tacit, of the people." Such is Burlemachi. "If the people do not voluntarily submit, a state of war exists." Such is Vattal. What says England? Mr. Pym, in Lord Strafford's impeachment, speaks as follows: "The law is the safeguard of all private interests; without this every man has a right to every thing. And this is the case to which the Irish were reduced by the Earl of Strafford; and the reason he gave hath more mischief than the thing itself, viz. that they were a conquered nation. There are few nations in the world that have not been conquered; but if pacts and agreements do not restrain that, what people can be free? England hath been conquered, Wales hath been conquered, and by this reason will be little better than Ireland." Thus speaks Mr. Pym. What says the English House of Commons? It says, "that the realm of Ireland having been time out of mind annexed to the imperial Crown of England, and governed by *the same laws*, the said Earl being deputy in that realm, to bring His Majesty's liege subjects of that realm into a dislike of his Majesty's government, and intending the subversion of the fundamental laws and settled government of that kingdom, and the destruction of His Majesty's liege people there, did declare and

publish—that Ireland was a conquered nation." Thus spoke the English House of Commons. What said the English Parliament? The bill of attainder is before you. "Whereas the knights, citizens, and burgesses, have impeached Thomas Earl of Strafford for endeavouring to *subvert* the ancient and fundamental government of England and *Ireland*, and to introduce an arbitrary and tyrannical government against law in the said kingdoms; be it enacted, that he shall suffer the pain of death." Thus did the Parliament of England act on this question with regard to her minister. How has she acted with regard to her King? I know it will be said she revoked the act of attainder: true, she revoked the attainder, but did not restore the doctrine of conquest; on the contrary, in the face of the law of conquest, she resolved as follows: "that there is an original compact between the King and the people; that James the Second had broken that original compact, and that the breach of compact, with his other offences was an abdication of his crown:" and she deposed him accordingly, and she called on the Irish to aid her in the deposition. England called on the Irish to shed their blood, and they shed it accordingly in deposing James the Second, for having broken his compact with England. And will she now break the compact with Ireland, and set up here the law of conquest? Has she attainted the Irish for the treason of aiding James, who broke the original compact with England? and will she punish the Irish for not aiding England in breaking the compact with themselves? will she employ her King who owes his crown to one compact to break the other? will she confiscate the property of James's abettors in Ireland on the principles of compact, and seize on the liberties of the whole realm on the principles of conquest, and commit herself that very crime? A prodigy in the annals of mankind incredible, and an exhibition of the thirst of power in the frenzy of the human race unimaginable! Commit herself that very crime for which she beheaded her minister and deposed her king!

This brings the claim of England to a mere question of force: it is a right which Swift, I think it is Swift, has explained—the right of the grenadier to take the property of a naked man. I add, this man has now gotten back his arms, and begs to get back his property.—Thus the question remaining is a question of ability; and in considering this, you are not to contemplate alone the difficulties in your front; you are to look back too on the strength in your rear. The claim by conquest naturally leads to the subject of the volunteers. You have an immense force, the shape of a much greater of different religions, but of one political faith, kept up for three years defending the country;

for the government took away her troops and consigned her defence to the people;—defending the government, I say, aiding the civil power, and pledged to maintain the liberty of Ireland to the last drop of their blood. Who is this body? the Commons of Ireland! and you at the head of them: it is more—it is the society in its greatest possible description; it is the property—it is the soul of the country armed: they, for this body, have yet no adequate name. In the summer of 1780, they agree to a declaration of right; in the summer of 1781, they hear that the French are at sea; in the heat and hurricane of their zeal for liberty, they stop; without delay, they offer to march; their march waits only for the commands of the Castle: the castle, where the sagacious courtier had abandoned his uniform, finds it prudent to receive a self-armed association: that self-armed association this age has beheld; posterity will admire—will wonder. The delegates of that self-armed association enter the mansion of the government, ascend the steps, advance to the presence of the Lord-lieutenant, and make a tender of their lives and fortunes, with the form and reception of an authenticated establishment. A painter might here display and contrast the loyalty of a courtier with that of a volunteer; he would paint the courtier hurrying off his uniform, casting away his arms, filling his pockets with the public money, and then presenting to his sovereign naked servitude; he would paint the volunteer seizing his charters, handling his arms, forming his columns, improving his discipline, demanding his rights, and then, at the foot of the throne, making a tender of armed allegiance. He had no objection to die by the side of England; but he must be found dead with her charter in his hand.

Stationed as you are, and placed as you are in relation to the community and these great objects, how do you mean to proceed? submit, and take the lead in the desertion? impossible! The strength which at your back supports your virtue, precludes your apostacy; the armed presence of the nation will not bend; the community will not be sold; nor will a nation in arms suffer the eternal blessing of freedom and renown to depend on the experiment, whether this villain shall be a pensioner, or that pickpocket shall be a peer. Before you decide on the practicability of being slaves for ever, look to America. Do you see nothing in that America but the grave and prison of your armies? and do you not see in her range of territory, cheapness of living, variety of climate, and simplicity of life—the drain of Europe?—Whatever is bold and disconsolate, sullen virtue and wounded pride; all, all to that point will precipitate; and what you trample on in Europe will sting you in America. When Philadelphia or whatever

city the American appoints for empire, sends forth her ambassadors to the different kings in Europe, and manifests to the world her independency and power; do you imagine you will persuade Ireland to be satisfied with an English Parliament making laws for her; satisfied with a refusal to her loyalty, of those privileges which were offered to the arms of America? How will individuals among you like this? Some of the gentlemen whom I now see in their places, are the descendants of kings; the illustrious gentleman * on the far bench; my illustrious † friend near me. Will they derogate from the royalty of their forefathers, bow their honoured heads, or acknowledge the crown of their ancestors, or more than regal power on the brow of every forty-shilling freeholder in England, or on any front except that of His Majesty? Are the American enemies to be free, and these royal subjects slaves? or in what quality does His Majesty choose to contemplate the Irish hereafter? His subjects in parliament, or his equals in congress? Submission, therefore, will not do: there remains, then, but one way; assert the independency of your parliament. What do you wait for? Do you wait for a peace; till the volunteer retires, and the minister replies by his cannon? The Stag frigate is now in your harbour, or do you wait for more calamities in the fortunes of England, till the empire is a wreck, and the two countries go down together? or do you delay, till Providence, beholding you on your knees, shall fall in love with your meanness, and rain on your servility constitution like manna. You go to the house of God when you want heat or moisture, and you interfere with God's providence by your importunities. Are the princes of the earth more vigilant than the Almighty, that you should besiege the throne of mercy with your solicitations, and hold it unnecessary to admonish the King? or do you wait till your country speaks to you in thunder? Let me conclude by observing, that you have the two claims before you; the claim of England to power, and of Ireland to liberty: and I have shown you, that England has no title to that power to make laws for Ireland; none by nature, none by compact, none by usage, and none by conquest; and that Ireland has several titles against the claims of England;—a title by nature, a title by compact, and a title by divers positive acts of parliament; a title by charter, and by all the laws by which England possesses her liberties;—by England's interpretation of those laws, by her renunciation of conquest, and her acknowledgment of the law of original compact.

I now move you,

* Mr. O'Hara. † Mr. O'Neill.

That an humble address be presented to His Majesty, to assure His Majesty of our most sincere and unfeigned attachment to His Majesty's person and government.

To assure His Majesty, that the people of this country are a free people.

That the crown of Ireland is an imperial crown, and the kingdom of Ireland a distinct kingdom, with a parliament of her own, the sole legislature thereof.

To assure His Majesty, that, by our fundamental laws and franchises, (laws and franchises which we on the part of the nation do claim as her birthright,) the subjects of this kingdom cannot be bound, affected, or obliged by any legislature, save only by the King, Lords, and Commons of this His Majesty's realm of Ireland, nor is there any other body of men who have power or authority to make laws for the same.

To assure His Majesty, that His Majesty's subjects of Ireland conceive that in this privilege is contained the very essence of their liberty, and that they tender it as they do their lives, and accordingly have with one voice declared and protested against the interposition of any other parliament in the legislation of this country.

To assure His Majesty, that we have seen with concern the Parliament of Great Britain advance a claim to make law for Ireland; and that this anxiety is kept alive, when we perceive the same Parliament still persists in that claim, as may appear by recent British acts which affect to bind Ireland, but to which the subjects of Ireland can pay no obedience.

To assure His Majesty, that, next to our liberties, we value our connexion with Great Britain; on which we conceive, at this time most particularly, the happiness of both kingdoms intimately depends, and which, as it is our most sincere wish, so shall it be our principal study, to cultivate and render perpetual: that, under this impression, we cannot suggest any means whereby such connexion can be so much improved and strengthened, as by a renunciation of the claim of the British Parliament to make laws for Ireland—a claim useless to England, cruel to Ireland, and without any foundation in law.

That with a high sense of the magnanimity and justice of the British character, and in the most entire reliance on His Majesty's paternal care, we have set forth our rights and sentiments, and without prescribing any mode to His Majesty, we throw ourselves on his royal wisdom.

TRIUMPH OF IRISH INDEPENDENCE.

16*th April*, 1782.

Mr. GRATTAN rose, and spoke as follows:

I am now to address a free people: ages have passed away, and this is the first moment in which you could be distinguished by that appellation.

I have spoken on the subject of your liberty so often, that I have nothing to add, and have only to admire by what heaven-directed steps you have proceeded until the whole faculty of the nation is braced up to the act of her own deliverance.

I found Ireland on her knees, I watched over her with an eternal solicitude; I have traced her progress from injuries to arms, and from arms to liberty. Spirit of Swift! spirit of Molyneux! your genius has prevailed! Ireland is now a nation! in that new character I hail her! and bowing to her august presence, I say, *Esto perpetua!*

She is no longer a wretched colony, returning thanks to her governor for his rapine, and to her king for his oppression; nor is she now a squabbling, fretful sectary, perplexing her little wits, and firing her furious statutes with bigotry, sophistry, disabilities, and death, to transmit to posterity insignificance and war.

Look to the rest of Europe, and contemplate yourself, and be satisfied. Holland lives on the memory of past achievements; Sweden has lost her liberty; England has sullied her great name by an attempt to enslave her colonies. You are the only people—you, of the nations in Europe, are now the only people who excite admiration, and in your present conduct you not only exceed the present generation, but you equal the past. I am not afraid to turn back and look antiquity in the face: the revolution—that great event, whether you call it ancient or modern I know not, was tarnished with bigotry: the great deliverer (for such I must ever call the Prince of Nassau,) was blemished with oppression; he assented to, he was forced to assent to acts which deprived the Catholics of religious, and all the Irish of civil and commercial rights, though the Irish were the only subjects in these islands who had fought in his defence. But you have sought liberty on her own principle: see the Presbyterians of Bangor petition for the freedom of the Catholics of Munster. You, with difficulties innumerable, with dangers not a few, have done what your ancestors wished, but could not accomplish; and what your posterity may preserve, but will never equal: you have moulded the jarring

elements of your country into a nation, and have rivalled those great and ancient commonwealths, whom you were taught to admire, and among whom you are now to be recorded: in this proceeding you had not the advantages which were common to other great countries; no monuments, no trophies, none of those outward and visible signs of greatness, such as inspire mankind and connect the ambition of the age which is coming on with the example of that going off, and forms the descent and concatenation of glory: no; you have not had any great act recorded among all your misfortunes, nor have you one public tomb to assemble the crowd, and speak to the living the language of integrity and freedom.

Your historians did not supply the want of monuments; on the contrary, these narrators of your misfortunes, who should have felt for your wrongs, and have punished your oppressors with oppressions, natural scourges, the moral indignation of history, compromised with public villany and trembled; they excited your violence, they suppressed your provocation, and wrote in the chain which entrammelled their country. I am come to break that chain, and I congratulate my country, who, without any of the advantages I speak of, going forth as it were with nothing but a stone and a sling, and what oppression could not take away, the favour of Heaven, accomplished her own redemption, and left you nothing to add and every thing to admire.

You want no trophy now; the records of Parliament are the evidence of your glory: I beg to observe, that the deliverance of Ireland has proceeded from her own right hand; I rejoice at it, for had the great requisition of your freedom proceeded from the bounty of England, that great work would have been defective both in renown and security: it was necessary that the soul of the country should have been exalted by the act of her own redemption, and that England should withdraw her claim by operation of treaty, and not of mere grace and condescension; a gratuitous act of parliament, however express, would have been revocable, but the repeal of her claim under operation of treaty is not: in that case, the legislature is put in covenant, and bound by the law of nations, the only law that can legally bind Parliament: never did this country stand so high; England and Ireland treat *ex æquo*. Ireland transmits to the King her claim of right, and requires of the Parliament of England the repeal of her claim of power, which repeal the English Parliament is to make under the force of a treaty which depends on the law of nations—a law which cannot be repealed by the Parliament of England.

I rejoice that the people are a party to this treaty, because they are bound to preserve it. There is not a man of forty shillings freehold

that is not associated in this our claim of right, and bound to die in its defence; cities, counties, associations, Protestants and Catholics; it seems as if the people had joined in one great national sacrament; a flame has descended from heaven on the intellect of Ireland, plays round her head, and encompasses her understanding with a consecrated glory.

There are some who think, and a few who declare, that the associations to which I refer are illegal: come, then, let us try the charge, and state the grievance. And, first, I ask, What were the grievances? an army imposed on us by another country, that army rendered perpetual; the privy-council of both countries made a part of our legislature; our legislature deprived of its originating and propounding power; another country exercising over us supreme legislative authority; that country disposing of our property by its judgments, and prohibiting our trade by its statutes: these were not grievances, but spoliations, which left you nothing. When you contended against them, you contended for the whole of your condition; when the minister asked, by what right? we refer him to our Maker: we sought our privileges by the right which we have to defend our property against a robber, our life against a murderer, our country against an invader, whether coming with civil or military force—a foreign army, or a foreign legislature. This is a case that wants no precedent; the *revolution* wanted no precedent; for such things arrive to reform a course of bad precedents, and, instead of being founded on precedent, become such: the gazing world, whom they come to save, begins by doubt and concludes by worship. Let other nations be deceived by the sophistry of courts. Ireland has studied politics in the lair of oppression, and, taught by suffering, comprehends the rights of subjects and the duty of kings. Let other nations imagine that subjects are made for the monarch, but we conceive that kings, and parliaments, like kings, are made for the subjects. The House of Commons, honourable and right honourable as it may be; the Lords, noble and illustrious as we pronounce them, are not original but derivative. Session after session they move their periodical orbit about the source of their being, the nation; even the King's Majesty must fulfil his due and tributary course round that great luminary; and created by its beam, and upheld by its attraction, must incline to that light, or go out of the system.

Ministers, we mean the ministers who have gone out, (I rely on the good intentions of the present,) former ministers, I say, have put questions to us; we beg to put questions to them. They desired to know by what authority this nation has acted. This nation desires to

know by what authority they have acted. By what authority did Government enforce the articles of war? By what authority does Government establish the post-office? By what authority are our merchants bound by the charter of the East India Company? By what authority has Ireland, for near one hundred years been deprived of her export trade? By what authority are her peers deprived of their judicature? By what authority has that judicature been transferred to the peers of Great Britain, and our property in its last resort referred to the decision of a non-resident, unauthorised, and unconstitutional tribunal? Will ministers say it was the authority of the British Parliament? On what ground, then, do they place the question between the Government on one side, and the volunteer on the other? According to their own statement, the Government has been occupied in superseding the lawgiver of the country; and the volunteers are here to restore him. The Government has contended for the usurpation, and the people for the laws. His Majesty's late ministers imagined they had quelled the country when they had bought the newspapers; and they represented us as wild men, and our cause as visionary; and they pensioned a set of wretches to abuse both: but we took little account of them or their proceedings, and we waited and we watched, and we moved, as it were, on our native hills, with the minor remains of our parliamentary army, until that minority became Ireland. Let those ministers now go home, and congratulate their king on the redemption of his people. Did you imagine that those little parties whom three years ago you beheld in awkward squads parading in the streets, should have now arrived to such distinction and effect? What was the cause? for it was not the sword of the volunteer, nor his muster, nor his spirit, nor his promptitude to put down accidental disturbance or public disorder, nor his own unblamed and distinguished deportment. This was much; but there was more than this: the upper orders, the property, and the abilities of the country, formed with the volunteer; and the volunteer had sense enough to obey them. This united the Protestant with the Catholic, and the landed proprietor with the people. There was still more than this; there was a continence which confined the corps to limited and legitimate objects; there was a principle which preserved the corps from adultery with French politics; there was a good taste which guarded the corps from the affectation of such folly: this, all this, made them bold; for it kept them innocent, it kept them rational: no vulgar rant against England; no mysterious admiration of France; no crime to conceal—no folly to be ashamed of. They were what they professed to be; and that was nothing less than the society asserting

her liberty, according to the frame of the British constitution, her inheritance to be enjoyed in perpetual connection with the British empire.

I do not mean to say that there were not divers violent and unseemly resolutions; the immensity of the means was inseparable from the excess.

Such are the great works of nature: such is the sea; but, like the sea, the waste and excess were lost in the advantage: and now, having given a parliament to the people, the volunteers will, I doubt not, leave the people to Parliament, and thus close, specifically and majestically, a great work, which will place them above censure and above panegyric. These associations, like other institutions, will perish: they will perish with the occasion that gave them being, and the gratitude of their country will write their epitaph, and say, "This phenomenon, the departed volunteer, justified only by the occasion, the birth of spirit and grievances, with some alloy of public evil, did more public good to Ireland than all her institutions; he restored the liberties of his country, and thus from the grave he answers his enemies." Connected by freedom as well as by allegiance, the two nations, Great Britain and Ireland, form a constitutional confederacy as well as one empire; the crown is one link, the constitution another; and, in my mind, the latter link is the most powerful.

You can get a king any where, but England is the only country with whom you can participate a free constitution. This makes England your natural connexion, and her king your natural as well as your legal sovereign: this is a connexion, not as Lord Coke has idly said, not as Judge Blackstone has foolishly said, not as other judges have ignorantly said, by conquest; but as Molyneux has said, and as I now say, by compact; and that compact is a free constitution. Suffer me now to state some of the things essential to that free constitution; they are as follows: the independency of the Irish Parliament; the exclusion of the British Parliament from any authority in this realm; the restoration of the Irish judicature, and the exclusion of that of Great Britain. As to the perpetual mutiny bill, it must be more than limited; it must be effaced; that bill must fall, or the constitution cannot stand; that bill was originally limited by this House to two years, and it returned from England without the clause of limitation. What? a bill making the army independent of Parliament, and perpetual! I protested against it then, I have struggled with it since, and I am now come to destroy this great enemy of my country. The perpetual mutiny bill must vanish out of the statute book; the excellent tract of Molyneux was burned; it was not answered; and its flame illumined

posterity. This evil paper shall be burned, but burned like a felon, that its execution may be a peace-offering to the people, and that a declaration of right may be planted on its guilty ashes; a new mutiny bill must be formed after the manner of England, and a declaration of right put in the front of it.

As to the legislative powers of the Privy Councils, I conceive them to be utterly inadmissible against the constitution, against the privileges of Parliament, and against the dignity of the realm. Do not imagine such power to be theoretical; it is in a very high degree a practical evil. I have here an inventory of bills altered and injured by the interference of the Privy Councils; money bills originated by them, protests by the Crown in support of those money bills, prorogation following these protests. I have here a mutiny bill of 1780, altered by the Council, and made perpetual; a Catholic bill in 1778, where the Council struck out the clause repealing the test act; a militia bill, where the Council struck out the compulsory clause requiring the Crown to proceed to form a militia, and left it optional to His Majesty's minister whether there should be a militia, in Ireland. I have the money bill of 1775, where the Council struck out the clause enabling His Majesty to take a part of our troops for general service, and left it to the minister to withdraw the forces against act of parliament. I have to state the altered money bill of 1771, the altered money bill of 1775, the altered money bill of 1780; the day would expire before I could recount their ill-doings. I will never consent to have men (God knows whom), ecclesiastics, &c. &c., men unknown to the constitution of Parliament, and only known to the minister, who has breathed into their nostrils an unconstitutional existence, steal to their dark divan to do mischief and make nonsense of bills, which their Lordships, the House of Lords, or we, the House of Commons, have thought good and fit for the people. No; those men have no legislative qualifications; they shall have no legislative power.

1st. The repeal of the perpetual mutiny bill, and the dependency of the Irish army on the Irish Parliament.

2nd. The abolition of the legislative power of the Council.

3rd. The abrogation of the claim of England to make law for Ireland.

4th. The exclusion of the English House of Peers, and of the English King's Bench, from any judicial authority in this realm.

5th. The restoration of the Irish Peers to their final judicature.—The independency of the Irish Parliament in its sole and exclusive legislature.

These are my terms. I will take nothing from the Crown.

Mr. Grattan then moved, by way of amendment,

That an humble address be presented to His Majesty, to return His Majesty the thanks of this House for his most gracious message to this House, signified by His Grace the Lord-lieutenant.

To assure His Majesty of our unshaken attachment to His Majesty's person and government, and of our lively sense of his paternal care in thus taking the lead to administer content to His Majesty's subjects of Ireland.

That, thus encouraged by his royal interposition, we shall beg leave, with all duty and affection, to lay before His Majesty the causes of our discontents and jealousies. To assure His Majesty that his subjects of Ireland are a free people. That the crown of Ireland is an imperial crown inseparably annexed to the crown of Great Britain, on which connection the interests and happiness of both nations essentially depend: but that the kingdom of Ireland is a distinct kingdom, with a parliament of her own—the sole legislature thereof. That there is no body of men competent to make laws to bind this nation except the King, Lords and Commons of Ireland; nor any other parliament which hath any authority or power of any sort whatsoever in this country save only the Parliament of Ireland. To assure His Majesty, that we humbly conceive that in this right the very essence of our liberties exist; a right which we, on the part of all the people of Ireland, do claim as their birthright, and which we cannot yield but with our lives.

To assure His Majesty, that we have seen with concern certain claims advanced by the Parliament of Great Britain, in an act entitled "An act for the better securing the dependency of Ireland:" an act containing matter entirely irreconcilable to the fundamental rights of this nation. That we conceive this act, and the claims it advances, to be the great and principal cause of the discontents and jealousies in this kingdom.

To assure His Majesty, that His Majesty's Commons of Ireland do most sincerely wish that all bills which become law in Ireland should receive the approbation of His Majesty under the seal of Great Britain; but that yet we do consider the practice of suppressing our bills in the council of Ireland, or altering the same any where, to be another just cause of discontent and jealousy.

To assure His Majesty, that an act, entitled "An act for the better accommodation of His Majesty's forces," being unlimited in duration, and defective in other instances, but passed in that shape from the particular circumstances of the times, is another just cause of discontent and jealousy in this kingdom.

That we have submitted these, the principal causes of the present discontent and jealousy of Ireland, and remain in humble expectation of redress.

That we have the greatest reliance on His Majesty's wisdom, the most sanguine expectations from his virtuous choice of a Chief Governor, and great confidence in the wise, auspicious, and constitutional councils which we see, with satisfaction, His Majesty has adopted.

That we have, moreover, a high sense and veneration for the British character, and do therefore conceive that the proceedings of this country, founded as they were in right, and tempered by duty, must have excited the approbation and esteem instead of wounding the pride of the British nation.

And we beg leave to assure His Majesty, that we are the more confirmed in this hope, inasmuch as the people of this kingdom have never expressed a desire to share the freedom of England, without declaring a determination to share her fate likewise, standing and falling with the British nation.

SIMPLE REPEAL.

19*th July*, 1782.

On the 17th Mr. Flood expressed himself dissatisfied with what had been done regarding the independence of the country. He said that his object was to obtain legal security; he gave notice that he would bring forward a question on the subject on the 19th, and this day he made his promised motion. He recapitulated the arguments that he had used before, and considered that legal security was the best security that could be obtained. The crowns of the two kingdoms were already united by an Irish law, declaring that whoever wore the imperial crown of England should also wear the imperial crown of Ireland· his object now was, to secure the rights of Parliament as well as those of the Crown, as he thought the late transactions totally inadequate to the security of the rights of Ireland: the 6th of George the First was a declaratory law; and a declaratory law only stated what the law previously was, but did not enact a new law, and therefore left the law as it stood before: he accordingly moved, "That leave be given to bring in heads of a bill for declaring the sole and exclusive right of the Irish Parliament to make laws in all cases whatsoever, internal and external, for the kingdom of Ireland." This was supported by Mr. English, Mr. Brown, and Mr. Walsh: it was strongly opposed by Mr. Bagenal, Mr. Brownlow, Mr. Ogle, Mr. Bushe, Mr. Hartley, and Mr. Yelverton: they said that Mr. Flood had very properly called it the shadow of English legislative authority, and that his bill would go to admit, that the right to legislate for

Ireland had existed in England, and to deny that the right of self-legislation was inherent in Ireland: the ablest lawyers were of opinion that the repeal of the 6th of George the First was sufficient; Mr. Flood himself had admitted it by his vote of the 16th of April and 27th of May; that it was idle to call for the renunciation of a power that was abandoned; the bill which he suggested was a most injurious measure; it went to excite discontent and create doubts when the people were satisfied, when a universal joy existed throughout the country, and after they had obtained all that England could give, and all that Ireland had demanded.

Mr. GRATTAN rose, and said, I wish the subject had not been renewed. Whatever was the original question, that question exists no longer; to renew it, makes this House the theatre of envy, ostentation, and egotism; and wastes the public time by reviving a subject which liberty does not determine, because liberty did not excite, and which is continued by the passions that engendered it—rancour and disappointed ambition.

I enter on it therefore with peculiar reluctance, but with this justification, that were I to decline the question, I should betray the defence—the defence of myself and others, who took an early, active, and uniform part in the recovery of your liberties, when those who have been clamorous of late were silent.

I will state why this House and the whole nation did at first expect that Great Britain should relinquish her claim of legislative supremacy over the kingdom of Ireland by the repeal of the act wherein that claim was advanced, namely, the 6th of George the First, because this act contained the principle expressly, because the act *of course* put the claim in issue, because the repeal was then the natural and technical manner of doing away the claim.

Gentlemen will please, for a moment, to recur to four very important periods, first, when Mr. Eden, in the British House of Commons, moved for a repeal of the 6th of George the First, without a preamble, and with a reserve of that part which went to the judicature. Mr. Eden was in fact no longer secretary; his friends were no longer ministers: he went to England to give to the false, and to take from the new ministry the glory of relinquishing the legislative supremacy of England over Ireland; and what method did he take?—Repeal without preamble.

It has been said, that the repeal was not argued on the principle; the assertion is totally unfounded: almost every man of every party spoke on that day who speak on any day; and they argued the motion on the principle only. "He is come over post (they said), to cede the dearest rights of the British nation." How? By the repeal—repeal without preamble. Nobody then said it was doing nothing; no man

on either side said so: the proposition was received in the British House of Commons as the account of it was received by the Irish nation—as a proposition to cede the legislative power of England over the kingdom of Ireland: the principle was thus conceived to be put in issue.

The next period to which I refer was a few weeks after this motion; the 16th of April, 1782. I remember well the debates of that day: I ventured to recite a certain list of measures; I have that identical paper now in my hand, from one tittle of which I have not departed. Such a modification of the law of Poynings as took from one Council the power to suppress, and from both the power to alter Irish bills. A mutiny bill, limited to two years, with the articles of war recited, and the declaration of right prefixed, the restoration of final judicature, both at law and equity, the repeal of the 6th of George the First *in toto*. Did any man then say that the repeal would do nothing? Has any man who sat silent then, a right to tell us, that the repeal did nothing? but of all, that man who afterwards said "the repeal liberated the hands of the king,"—expressly, in so many words—"liberated the hands of the king?" Has any man a right to sit on the watch, and wait the event of measures, with a malignant reserve, if measures fail, to condemn their extravagance; and if they succeed, to exclaim at their inadequacy? Did any man then talk of renunciation? Had any man then said, that an express renunciation was necessary, why then, indeed, some further clause might have been pressed—not to give you liberty, but to prevent such a man from giving you discontent, after others had given you liberty.

But no such objection was made; the repeal was stated then as the mode of doing away the claim of England; and in that mode there was a most entire acquiescence.

I come now to the third period, the 17th of May. When the repeal was proposed by Mr. Fox in the House of Commons, it was a general debate, and every man admitted the repeal was a dereliction of the power. Those who had before, in high strain, asserted the authority of the British Parliament over Ireland, read their recantation then: Mr. Fox was much misrepresented: he argued on the principle entirely; he ceded the authority as entirely, in as express terms, as the declaratory act had maintained it: he did not reserve external legislature: he said no such thing: he said that the Parliament of England might have so exercised its legislative authority over Ireland in external cases, to serve the empire at large, but had abused her power in external as well as internal cases: he never made two distinct rights, one internal and the other external; nor conceived external cases as

any else but the exercise of one and the same principle of legislation, which, he said, was not founded in natural right. I have heard accounts of the debate from many of the Irish then present, and all have united in the account I have stated.

Mr. Fox published an address to the freeholders of Westminster about the time of the repeal; and defending the propriety of acknowledging the independency of America, he writes, "See the advantage you have reaped from acknowledging the independency of the Irish Parliament: she gave you 20,000 seamen." Mr. Fox, in his speech on the Jurisdiction Bill, asserted the same principle. Lord Loughborough spoke also in this debate: he opposed the repeal; he gave his reason, "because the authority of the British Parliament fell by it"—by it fell the act of navigation, and several others formerly enacted by the British Parliament over the Irish realm. I do not state these as records, but as facts; and I am the more warranted to state these debates, because they have been mis-stated as facts, and then argued from as records, and conclusions drawn as impudent as the stating was disingenuous; but if debates are an illustration at all of law, that illustration should arise from a true, not a fallacious account of them.

I now come to the fourth period. When the account came that the 6th of George the First was to be repealed, and the resolutions of Mr. Fox and the Earl of Shelburne were transmitted.

You have not forgotten the joy of that moment, nor the anxiety of the moment before, when reports were circulated, and when doubts were entertained, whether we had not asked too much, chiefly by those who were afterwards ready to say we had asked too little. Let me suppose at that moment I had opposed the general sentiment, and on the 27th had declared that the repeal did nothing; I appeal to the candour of gentlemen, whether they would not have left me in a wretched minority? Would they not have said, that by calling for express renunciation or express recognition, you bring on a question of original right, about which we cannot agree, and you embarrass the question of present liberty, about which we are agreed?

Would they not have added, that the restoration of final judicature made it a matter of still less consequence, whether England expressly renounced the claim of making law for us, because Ireland became the only judge of what law bound her? that the final judicature in the Irish Parliament was a constant subsisting living security against the legislative claims of Great Britain, and rendered the dead security of a renunciation nominal? and that, by refusing to accept of the repeal, we stopped a system of measures, mutiny bill, &c. &c., and risked the living security for the dead letter? that if express renun-

ciation were *eligible words*, they would follow things, and a more flattering form would come after the substance? Would not gentlemen have added, that this nation would not be committed every day, nor the public mind, already thrown into a fever, tortured once more? But the question was tried: the objection to the repeal was started on the 27th, when it appeared that the objection was relied on by two only; some, who have been more loud since, were silent on this subject then, and vanished. I did most heartily acquiesce in the opinion of an almost unanimous House.

It is easy now for men to express their zeal when the difficulty is over, and to contend for us on the ground which we have made for them. They who lamented the bringing on a declaration of right, may, after that declaration and after the repeal, call for a renunciation: when the breach is made, the coward may enter, and is most likely to be the most licentious, but his activity is a proof that the business is done, and the danger is over.

It is necessary, before I proceed farther, to take notice of a pamphlet attributed to a noble lord in the English House of Commons, and addressed to a high-spirited corps of volunteers, on the legal subject of repeal and renunciation. The whole of the pamphlet may be reduced into two positions; one of them is as follows: That if a renunciation had been asked by those who had authority to do so on the part of Ireland, it had been acceded to. What renunciation? not a disclaimer of the right; the author does not attempt to say it, nor could he say it with truth; for the fact is notoriously otherwise, that renunciation could not have been obtained then, nor have you obtained it now: no; but the author states an act of the British Parliament, renouncing her right to bind Ireland; *her* right, a renunciation which you would refuse. His first position then amounts to this, that England was ready to give what you would not, and ought not to have accepted.

His second proposition states, that the second resolution, declaring that the connexion of the countries ought to be placed on a solid base, intended as follows: That Great Britain would secure by acts of her own the liberties of Ireland, and in the meantime would prove her sincerity by the repeal. This is not *founded;* it is a strange conception; England may covenant to restrain her usurpation by her acts; but England cannot by *her* acts secure our liberties: but England had no such idea. The second resolution intended a treaty between the two countries, with a view to secure their co-operation in peace and war, and the foundation of that resolution, the necessity of some combining power. The control of the British Parliament being at an

end by the repeal, the motion did not mean to secure the liberty of Ireland by further acts, but her union; her dependency being at an end by the repeal, and a congress, or treaty, being rendered expedient as a substitute for a power that was no more, that scheme died in its difficulties.

I ask pardon for taking up so much of your time on the subject of an electioneering pamphlet. My apology is, that I have reduced the whole to two positions; a fallacious security, and an unfounded assertion.

I shall be always happy when the courtiers of the crown become courtiers of the people: it is a proof of your strength, if not of their sincerity, *crepat ingens Sejanus—idem populus, hæc ipsa Sejanum dicerit hora Augustum;* it is a decided signal of your triumph, when you behold the old servants of the court among the worshipping captives of the people. The people of Lisburne have shown admirable sense on this occasion: they took the noble advocate for liberty at his word, thanked him for his services, applauded him for his zeal, and turned him out of his borough and his county. I have heard of many practical jokes, but I never heard of one that more abounded in justice.

I have stated the reason why the mode of relinquishment was by repeal. I shall now trouble you with a few observations on that mode: and first, I must observe, that the question has been falsely stated. The repeal has been called simple: nothing can be more false; the records of both countries give the lie to such a statement: it was hazarded, in the first instance, with much effrontery; that gabble was afterwards circulated with industry, and became the ready cant in every wretched and ignorant publication. The repeal is not simple; the messages of the King and the resolutions of the English Parliament, the addresses of the Irish Parliament, and the resolutions of the British, are, of necessity, connected with it, and make it a part of a great and manifold transaction.

First, a message from the King to the respective Houses of the British Parliament, stating that certain discontents had prevailed in Ireland, and proposing them to their most serious deliberation.

Secondly, the message of the King to the respective Houses of the Irish Parliament, desiring to know the causes of their discontents and jealousies.

Thirdly, the address of the Lords and Commons of Ireland, protesting against the claim of legislative power in the British Parliament, and the act wherein that claim was declared as the principal cause.

Fourthly, a message from His Majesty to the respective Houses of the British Parliament, referring that protest of Ireland to the consideration of the Parliament of England.

Fifthly, a motion in the respective Houses of the British Parliament, referring that protest to their committees appointed to sit on the affairs of Ireland.

Sixthly, the report of these committees thereupon, that the 6th of George the First ought to be repealed.

Seventhly, the message of His Majesty to the respective Houses of the British Parliament, informing you that he had referred your protest to the Parliament of Great Britain.

And lastly, copies of the English resolution, that the 6th of George the First should be repealed; laid before you by His Majesty's command.

This is the transaction which has been called simple, and every part of it is a *record*;—the message of the King to his English Parliament, to consider the state of Ireland, is a *record*.

The laws of England are not the measure in this case, nor are they admissible for a variety of reasons; they are the peculiar custom of England, to be explained by her judges, who are under the control of her Parliament: this standard is local, and therefore not presumed to be known any where else, and therefore not promulgated, and, of course, defective in the essence of law; it is dependent on the explanation and comment of the party, and therefore arbitrary and partial; it is dependent on her explanation of the science of her own laws; a subject in whose inscrutable mysteries she has the greatest latitude for her partialities; its extent is the realm of Great Britain; its duration the will of her Parliament. I say, the municipal law of England is a standard inadmissible, for it is the peculiar science of that country, subject only to her own comment; and to refer a covenant between Ireland and England to such a standard, would be to refer it to herself—to herself in her most questionable character—the mystery of her law, and the subtlety of her lawyer.

Let me suppose the French Court should refer a treaty with England for the opinion of the judges of France, to be measured by the principles of the laws of France. Would not England exclaim, "We do not understand your laws, nor their principles, nor do we submit to their authority?"

Let me suppose the law of Ireland to be as different from that of England, as the law of England differs from that of France; would you, in that case, refer a treaty or compact between Great Britain and Ireland, to be governed and explained by the law or the lawyer of

England—a law differing from your own, and unintelligible to you; or would you refer it to the laws of Ireland? The laws of Ireland will tell you, that England never had any right, and that the 6th of George the First was not declaratory of law, but declaratory of robbery under the name of statute: so that the laws of one country would tell you, that the right had never an existence, as those of the other might tell you, it never could have an end, at least, except so long as the Parliament was so pleased, against whose will and power you meant to provide. To whom then refer it? to the judges! What judges? The judges of England do you say? They will tell you, that the power of Parliament cannot be bound by statute law, and that they are no judge of the law of nations. Will you refer it to the judges of Ireland? Would England agree that a transaction in which she has a joint concern should be referred to the judges of Ireland? If you do refer to them, they will tell you, I know they will tell you, that England has recognized your rights by the repeal; so that your judges would be discordant in their respective partialities and fears; the Irish attached to the liberty of Ireland, the English to the power of Great Britain. Therefore, I say, a covenant of this sort is not to be adjudged by either the municipal laws of the respective countries, nor the municipal judges, neither by the local custom, nor the partial commentator. The municipal law, or the principles of the municipal law, are no standard; but the law of nations is: it is known to both countries, supersedes the particular customs of both nations, binds the respective states with regard to each other; is above their judges, and above the legislature: the Parliament makes the municipal law, but is itself bound by the law of nations: it is, with respect to the municipal law, the law maker, the sovereign; with respect to the laws of the nation, the subject; it is bound by faith, though it cannot be bound by statute: this is the more irresistible when you consider the principle of the municipal law of England, which is the omnipotence of her Parliament. From hence it follows, that there is no principle in that law which can secure you against the Parliament of England: if its omnipotence has a limit, that limit is found in another supposed principle still more hostile to you—that Parliament cannot cede the fundamental rights of England, such as her supremacy over you was conceived by her to have been; from hence it follows, that by the municipal law of England, you cannot have a lasting, and may not perhaps have a momentary, security against her Parliament: the standard, therefore, is not the municipal law, but the law of nations.

Your legal security is not repeal, nor renunciation, nor recognition, nor the laws of England, but the laws of Ireland; your security con-

sists in, that you are not dependant for liberty on the laws of England, or the Parliament of England; your legal security is, that you do not require legal security in the Parliament of England, and have nothing to do with her judges, or their comments, nor dependant on the laws, construction, comment, power, or quibble of a foreign land. Your legal security is the law of Ireland; the repeal has given every moral security, that on the part of England the laws of Ireland will not be invaded by the power of England: this assurance from England we measure by the law of nations, which binds Parliament: we know that no statute can bind Parliament: but the law of nations may; we know an English judge may comment away the force of statute; that the law of nations is, like the contracting nations, above him, we therefore do not measure the transactions whereby England does away her claim by any such standard, but by another, a higher, the law of nations, which does not depend on the riddle of the common law, nor the comment of the judges, nor the will of the legislature, but is above them all, and above the states to which such things are subject.

It has been unfortunate that a certain trick of expressions, without foundation in things, "simple repeal," "remote and dubious construction," "legal security," "unequivocal emancipation," things either inapplicable or inadmissible, should, with a glib expedition and easy jingle, have run through the mouths of several, the chime of artificial words, the gabble of a party, running off the tongue without touching the intellect, and constantly dinned into the public ear, were received as oracles of truth, when they should have been rejected as the watch-word of rancour and symbols of party; they who fell under the influence of these words, they who talk of simple repeal, rejected a material part of the transaction to argue falsely upon the remainder; they rejected that part which made the transaction a treaty, that by its nature bound the British Parliament, and confined themselves to the legal part which, by its nature, could not bind the legislature; they simplified Ireland totally out of the transaction; they simplified the law of nations, and the faith of nations, totally out of the transaction; they simplified every thing into clauses of the British statute, whose operation could not bind the British Parliament, against whom your claims were directed, except by taking into consideration those Irish transactions which they, in their temerity, called "transitory," and which they in particular rejected; and, except by taking into consideration the law of nations, and of treaties, which they despised.

They called for legal security: like slaves, they desired manumission from the British Parliament: *moriatur frigore ni reduces pannum.* Away with doubtful construction and inexplicit security! We

are enslaved, unless we are freed by an English act of Parliament!—Away with the charters of Ireland, and the distinct inherent rights of the land: let us have the English Parliament expressly legalize the independency of the Parliament of Ireland; establish the liberty of Ireland by virtue of an English act! Away with the flimsy bubble, security of a covenant between nation and nation: let us bind the Parliament of England by its laws!

Such men, while they think they are committing the very excesses of liberty, talk in the very sense and spirit of slavery; they neither are free, nor can they be free: for, as they will admit of no legal security except in the laws of another nation, they are to that nation tenants-at-will for liberty, not freemen: men manumitted, with a power of revocation reserved to the ancient lords; and therefore their imaginary condition of liberty is of as abject and base a tenure as their metaphysical arguments are absurd. The reason why they argue so is, that their mind has not grown to their condition; they do not feel that Ireland is a nation, though they talk at random about her liberty, accustomed to think Great Britain had a right, though, in talk, they denied it; bred, perhaps, under the lore and influence of Westminster-hall, and those false oracles on Irish subjects, which you have silenced, the old superstition, a pernicious and narrow education, still hung about them; the rapid progress of the country had outrun them, and they felt like the subjects of a province, when Ireland became a nation: they therefore still plod back again to the quibble and comment of their ancient guides and oppressors, who had cramped their youth, and were deluding their understanding. "What! the opinion of Westminster? that England may make law for any country she can conquer." The idea of co-ordinate nations, or of measuring a transaction between England and Ireland by any but the municipal maxims of the superior, was above them: the Irish charter, like happiness, was in their hand, but they did not know it: they went to Westminster to look for it.

The honourable member held out a false standard in the principles of the municipal law; and having held out a false security in the laws of England, attacks the only security the nature of the case admits of—the faith of nations! He attacks it with the habits of declamation: what is it but to perpetuate warfare, an everlasting appeal to Heaven? What the ethics of the member may be I know not; but this I know, that the good faith which he repudiates is the great bond of civil society, and the only bond of nations. What is it that preserves peace for an hour, but the faith of nations? What preserves all the treaties of the globe, but the faith of nations? The faith of nations is supported and enforced by a sense of interest: a nation noted for infidelity

can have no alliances, no credit, no strength: between nation and nation, character is power; between man and man, the honourable gentleman knows that a want of character is weakness; but he has found out two species of security for Irish liberty, very different indeed from faith, and very weak in themselves: the one is, the liberality of England; the other, her law, and he argues very gravely on both; he reduces your safety to a dilemma, and gives this gross and weak conception the form and affectation of logic. "You had but two ways to proceed; to rely on the liberality of England, and suffer the declaratory act to remain, or take legal security;" and on the legs of this hungry dilemma, he stands a *Colossus* in argument: that the liberality of England is a security for liberty, is a position too absurd and despicable to be answered; that the statute law of England is a control on the Parliament of England, and a legal security for the liberties of Ireland against the Parliament, is a position which has already been answered and exposed: both the positions answer themselves; the term liberality precludes security; and the term law imports a legal dependance upon, and not a security against, the law maker: so both the legs of the dilemma are struck away; the honourable member must descend; he has still a halt in a distinction where he asserts that legal security cannot be had between unconnected nations, but may be had between nations connected by civil government: the grounds of this distinction he is not pleased to discover, but we must suppose, by the words, *countries connected by civil government*, he means dependant, like Guernsey on England, or independent of each other, like England and Ireland: if the former, his observations do not apply; and if the latter, to state the connection will be sufficient to shew that the consequence he has stated, does not proceed from it: the connection in question is, the annexation of the crown, but the legislatures are distinct and independent. Now, if the member means, that the Parliament of England can in any wise affect Ireland by the legal operation of its laws, or if he means, that the Parliament of England cannot repeal an English act, affecting to give legal security to Ireland, because the king is the same, he argues in both equally wrong and equally illogical. Does the annexation of the crown, which is the connection by her civil government, give the Parliament of England authority over Ireland? or does it take from that Parliament its authority over England—the power of repealing its own laws? How then does legal security exist in the connection? a connection which leaves Ireland incapable of being affected by the statutes of England, and leaves England perfectly free to repeal them.

I think I have shown the folly of that argument which measured the

transaction of 1782, by principles of municipal law, and which would make a legal security for Ireland under the statute law of England; and this transaction, when measured by what is the real measure, and what, if liberty had been the original principle, would have been the measure, no man can deny to have been, on the part of England, a complete dereliction.

The Irish nation protest against the claim of supremacy; she considers the protest, and then repeals the act declaratory of that claim; such a repeal is an assent to your protest. What clause in an act could be more express or memorable than such a national compact? Parliaments may repeal laws; kings have invaded clear and express laws; but when laws have been environed and sanctified by a revolution, kings do not choose to meddle with them: the solemnity of the transaction gives a security to the law: a national compact between Great Britain and Ireland is higher than law, more awful, and the breach of it more dangerous; for transactions are understood by men who cannot understand law: the national convention being made in 1782, to remove the discontents of Ireland, by relinquishing the supremacy of the British Parliament; the revival of the power is a breach of which every man can judge, without resorting to the laws or lawyers of England; and the nation would rise as one man, not on the point of law, but of fact. I do acknowledge, that this security is not impregnable; there is one body that might shake it; the Irish themselves; England could not; but Ireland might waive the covenant, and then England is free; and when a party in this country pervert the sense of that covenant, they make the mischief they affect to tremble at; they endeavour to render your condition as uncertain as possible, and the faith of England as low as possible, and there they leave you. It was mischievously said, that England was *now* free to bind Ireland; it was said with all the affectation of enthusiasm, and the real spirit of rancour; it was said, that if she did, she would find an advocate: the very persons who asserted that the repeal did nothing, refuted their own arguments, falsified their own assertions, and discovered their real sentiments by acknowledging that it liberated the hands of the King to pass a declaration of right, denying the supremacy of the British Parliament.

I now come to the last ground, that the judicature was not surrendered by an English act. Before I proceed on this head, let me state the difficulties; the claim of judicature was a surprise on both kingdoms. Ministry, prepared for a volume of grievances, were not prepared for that requisition. Several of the gentlemen of this country were afraid of the experiment—afraid, lest the judicature should be refused—

afraid, lest it should be abused, and the collective body of the nation had not stirred the subject: since the point is obtained, the difficulty is forgotten: notwithstanding the difficulty, I was determined never to yield that point; for, carrying that point, you made yourselves the sole and exclusive judges of the pretensions of the British Parliament, and, of course, rendered those pretensions totally *nugatory*: you became the repository of your own charters; and until you proved false to yourselves, they could not be taken from you. The judicature being restored, I am condemned, because it was not restored by an English act of Parliament: my answer is, that an Irish act was necessary and competent; necessary, because the practice of Ireland had been long to appeal to England, and the property of the kingdom dependant on the legislation of that past practice; and, as we thought the interposition of the Irish necessary, we thought it expedient. What is your claim of right? That you are the only body competent to make law for this realm in *any* case whatsoever. If competent in any case whatsoever, are you not competent in this—competent to regulate your courts of justice? I, therefore, thought an Irish act, in point of law, adequate; and I am sure, it was adequate in point of security.—The nation says, that the Parliament of Ireland is solely and exclusively competent to make laws for this realm in all cases whatsoever; and I am now condemned for having taken her at her word.

I come now to the last charge, that Parliament was concluded by the address of the 27th, and the nation not freed by the transaction; the clause is, "gratified in these particulars, we conceive no constitutional questions will any longer exist to interrupt the harmony of the two nations." Do you repent that clause? Sir, the rejection of that would have stopped every thing. Irish satisfaction was the price of Irish liberty. Do you think it dear at such a price? There was a time when you could have given millions! Do you seriously imagine that Great Britain would have acceded to the requisition of the 16th of April, if she had been left to apprehend a host of grievances in reserve? that we were only talking plausibly to England, when we enumerated the causes of our discontent and jealousy, but cherished a growing demand —a growth proceeding from the gracious reception which that demand had received? It was not a fanciful clause, as was observed with a ready facetiousness; but one on which British accommodation hung. Individuals might refuse satisfaction, whose object was something other than liberty, but the nation could not. What! do you imagine that the sense or interest of the nation was the declaration of one person, who said, we were pledged to go so far, and free to go on. Individuals may reserve certain latitudes, which would disgrace a nation. You

were to reject the little policy of knavish latitudes and impracticable duplicity, and consider your own character, and that of the great nation you accosted, and to apply yourself to her magnanimity, as well as her justice, so that her passions might take part against her power.—Believe me, there was a splendour in your moderation, and a force in your fidelity. You prescribed to yourself a sacred precinct; and when England yielded, you scorned to advance: your spirit did not depend on the concession of England; it was an inherent quality of the mind.

Thus have you sealed a treaty with Great Britain. On the one side, the restoration of the final judicature, the extinction of her legislative claim, of her privy council, of her perpetual mutiny bill, the repeal of the act of legislative supremacy: on your side, satisfaction; and thus are the two nations compacted for ever in freedom and in peace.

PHILIPPIC AGAINST FLOOD.

28th October, 1783.

It was said "that the pen would fall from the hand, and the fœtus of the mind would die unborn,"* if men had not a privilege to maintain a right in the Parliament of England to make law for Ireland. The affectation of zeal, and a burst of forced and metaphorical conceits, aided by the acts of the press, gave an alarm which, I hope, was momentary, and which only exposed the artifice of those who were wicked, and the haste of those who were deceived.

But it is not the slander of an evil tongue that can defame me. I maintain my reputation in public and in private life; no man, who has not a bad character, can ever say that I deceived; no country can call me cheat; but I will suppose such a public character. I will suppose such a man to have existence; I will begin with his character in his political cradle, and I will follow him to the last state of political dissolution.

I will suppose him, in the first stage of his life, to have been intemperate; in the second, to have been corrupt; and in the last, seditious: that after an envenomed attack on the persons and measures of a succession of viceroys, and after much declamation against their

* Mr. Flood's expression.

illegalities and their profusion, that he took office, and became a supporter of Government when the profusion of ministers had greatly increased, and their crimes multiplied beyond example; when your money bills were altered without reserve by the council, when an embargo was laid on your export trade, and a war declared against the liberties of America; at such a critical moment I will suppose this gentleman to be corrupted by a great sinecure office to muzzle his declamation, to swallow his invectives, to give his assent and vote to the ministers, and to become a supporter of Government, its measures, its embargo, and its American war. I will suppose that he was suspected by the government that had bought him, and in consequence thereof, that he thought proper to resort to the acts of a trimmer, the last sad refuge of disappointed ambition; that, with respect to the constitution of his country, that part, for instance, which regarded the mutiny bill when a clause of reference was introduced, whereby the articles of war, which were, or hereafter might be, passed in England, should be current in Ireland without the interference of her Parliament; when such a clause was in view, I will suppose this gentleman to have absconded: again when the bill was made perpetual, I will suppose him again to have absconded; but a year and a half after the bill had passed, then I will suppose this gentleman to have come forward, and to say, that your constitution had been destroyed by the perpetual bill. With regard to that part of the constitution that relates to the law of Poynings, I will suppose the gentleman to have made many a long, very long, disquisition before he took office, but, after he received office, to have been as silent on that subject as before he had been loquacious. That, when money bills, under colour of that law, were altered year after year, as in 1775 and 1776, and when the bills so altered were resumed and passed, I will suppose that gentleman to have absconded or acquiesced, and to have supported the minister who made the alteration; but when he was dismissed from office, and a member introduced a bill to remedy this evil, I will suppose that this gentleman inveighed against the mischief, against the remedy, and against the person of the introducer, who did that duty which he himself for seven years had abandoned. With respect to that part of the constitution which is connected with the repeal of the 6th of George the First, when the adequacy of the repeal was debating in the House, I will suppose this gentleman to make no kind of objection; that he never named, at that time, the word renunciation; and that, on the division on that subject, he absconded; but, when the office he had lost was given to another man, that then he came forward, and exclaimed against the measure; nay, that he went into the

public streets to canvass for sedition, that he became a rambling incendiary, and endeavoured to excite a mutiny in the volunteers against an adjustment between Great Britain and Ireland, of liberty and repose, which he had not the virtue to make, and against an administration, who had the virtue to free the country without buying the members.

With respect to commerce, I will suppose this gentleman to have supported an embargo which lay on the country for three years, and almost destroyed it; and when an address in 1778, to open her trade was propounded, to remain silent and inactive; and with respect to that other part of her trade, which regarded the duty on sugar, when the merchants were examined in 1778, on the inadequate protecting duty, when the inadequate duty was voted, when the act was re-committed, when another duty was proposed, when the bill returned with the inadequate duty substituted, when the altered bill was adopted, on every one of those questions I will suppose the gentleman to abscond: but a year and a half after the mischief was done, he out of office, I will suppose him to come forth, and to tell his country, that her trade had been destroyed by an inadequate duty on English sugar, as her constitution had been ruined by a perpetual mutiny bill; with relation to three-fourths of our fellow-subjects, the Catholics, when a bill was introduced to grant them rights of property and religion, I will suppose this gentleman to have come forth to give his negative to their pretensions; in the same manner I will suppose him to have opposed the institution of the volunteers, to which we owe so much, and that he went to a meeting in his own county to prevent their establishment; that he himself kept out of their associations; that he was almost the only man in this House that was not in uniform, and that he never was a volunteer until he ceased to be a placeman, and until he became an incendiary.

With regard to the liberties of America, which were inseparable from ours, I will suppose this gentleman to have been an enemy decided and unreserved; that he voted against her liberty; and voted, moreover, for an address to send 4,000 Irish troops to cut the throats of the Americans; that he called these butchers "armed negotiators," and stood with a metaphor in his mouth, and a bribe in his pocket, a champion against the rights of America, the only hope of Ireland, and the only refuge of the liberties of mankind. Thus defective in every relationship, whether to constitution, commerce, and toleration, I will suppose this man to have added much private improbity to public crimes; that his probity was like his patriotism, and his honour on a level with his oath: he loves to deliver pane-

gyrics on himself. I will interrupt him, and say, Sir, you are much mistaken if you think that your talents have been as great as your life has been reprehensible; you began your parliamentary career with an acrimony and personality which could have been justified only by a supposition of virtue: after a rank and clamorous opposition you became on a sudden *silent;* you were silent for seven years: you were silent on the greatest questions, and you were silent for money! In 1773, while a negotiation was pending to sell your talents and your turbulence, you absconded from your duty in parliament, you forsook your law of Poynings, you forsook the questions of economy, and abandoned all the old themes of your former declamation; you were not at that period to be found in the House; you were seen, like a guilty spirit, haunting the lobby of the House of Commons, watching the moment in which the question should be put, that you might vanish; you were descried with a criminal anxiety, retiring from the scenes of your past glory; or you were perceived coasting the upper benches of this House like a bird of prey, with an evil aspect and a sepulchral note, meditating to pounce on its quarry: —these ways, they were not the ways of honour, you practised pending a negotiation which was to end either in your sale or your sedition: the former taking place, you supported the rankest measures that ever came before Parliament; the embargo of 1776, for instance. "O, fatal embargo, that breach of law, and ruin of commerce!" You supported the unparalleled profusion and jobbing of Lord Harcourt's scandalous ministry—the address to support the American war—the other address to send 4,000 men, which you had yourself declared to be necessary for the defence of Ireland, to fight against the liberties of America, to which you had declared yourself a friend;—you, Sir, who delight to utter execrations against the American commissioners of 1778, on account of their hostility to America;—you, Sir, who manufacture stage thunder against Mr. Eden, for his anti-American principles;—you, Sir, whom it pleases to chant a hymn to the immortal Hamden;—you, Sir, approved of the tyranny exercised against America;—and you, Sir, voted 4,000 Irish troops to cut the throats of the Americans fighting for their freedom, fighting for your freedom, fighting for the great principle, *liberty;* but you found, at last (and this should be an eternal lesson to men of your craft and cunning), that the King had only dishonoured you; the Court had bought, but would not trust you; and having voted for the worst measures, you remained, for seven years, the creature of *salary*, without the confidence of Government. Mortified at the discovery, and stung by disappointment, you betake yourself to the sad expe-

dients of duplicity; you try the sorry game of a trimmer in your progress to the acts of an incendiary; you give no honest support either to the Government or the people; you, at the most critical period of their existence, take no part, you sign no non-consumption agreement, you are no volunteer, you oppose no perpetual mutiny bill, no altered sugar bill; you declare, that you lament that the declaration of right should have been brought forward; and observing, with regard to prince and people, the most impartial treachery and desertion, you justify the suspicion of your Sovereign, by betraying the Government as you had sold the people: until, at last, by this hollow conduct, and for some other steps, the result of mortified ambition, being dismissed, and another person put in your place, you fly to the ranks of the volunteers, and canvass for mutiny; you announce that the country was ruined by other men during that period in which she had been sold by you. Your logic is, that the repeal of a declaratory law is not the repeal of a law at all, and the effect of that logic is, an English act affecting to emancipate Ireland, by exercising over her the legislative authority of the British Parliament. Such has been your conduct, and at such conduct every order of your fellow-subjects have a right to exclaim! The merchant may say to you—the constitutionalist may say to you—the American may say to you—and I, I now say, and say to your beard, Sir—you are not an honest man.

Mr. Flood rose to reply, but after having proceeded some length in his defence, he fell so much out of order, that the Speaker interfered. He declared how much pain he had suffered in permitting this contest to proceed, and that nothing but the calls of the House, to hear the two members, should have made him sit so long silent. He requested Mr. Flood would sit down, with which request he complied, and shortly after retired. The Speaker issued his warrant to apprehend the parties, and Mr. Flood was shortly after taken into custody. The House then directed that search should be made for Mr. Grattan; and the parties were bound over. It was then moved that the motion of Sir Henry Cavendish be taken into consideration, immediately after a report be made from the committee of accounts; and it passed in the affirmative.

COMMERCIAL PROPOSITIONS.

12*th August*, 1785.

HOWEVER, lest certain glosses should seem to go unanswered, I shall, for the sake of argument, waive past settlements, and combat the

reasoning of the English resolutions, the address, His Majesty's answer, and the reasoning of this day. It is here said, that the laws respecting commerce and navigation should be similar, and inferred, that Ireland should subscribe the laws of England on those subjects; that is, the same law, the same legislature: but this argument goes a great deal too far: it goes to the army, for the mutiny bill should be the same; it was endeavoured to be extended to the collection of your revenue, and is in train to be extended to your taxes; it goes to the extinction of the most invaluable part of your parliamentary capacity; it is a union, an incipient and a creeping union; a virtual union, establishing one will in the general concerns of commerce and navigation, and reposing that will in the Parliament of Great Britain; a union where our Parliament preserves its existence after it has lost its authority, and our people are to pay for a parliamentary establishment, without any proportion of parliamentary representation. In opposing the right honourable gentleman's bill, I consider myself as opposing a union *in limine*, and that argument for union which makes similarity of law and community of interest (reason strong for the freedom of Ireland!) a pretence for a condition which would be dissimilarity of law, because extinction of constitution, and therefore hostility, not community of interest; I ask, on what experience is this argument founded? Have you, ever since your redemption, refused to preserve a similarity of law in trade and navigation? Have you not followed Great Britain in all her changes of the act of navigation, during the whole of that unpalatable business, the American war? Have you not excluded the cheap produce of other plantations, in order that Irish poverty might give a monopoly to the dear produce of British colonies? Have you not made a better use of your liberty than Great Britain did of her power? But I have an objection to this argument, stronger even than its want of foundation in reason and experiment; I hold it to be nothing less than an intolerance of the parliamentary constitution of Ireland, a declaration that the full and free external legislation of the Irish Parliament is incompatible with the British empire. I do acknowledge, that by your external power you might discompose the harmony of empire, and I add, that, by your power over the purse, you might dissolve the state: but to the latter, you owe your existence in the constitution, and to the former, your authority and station in the empire: this argument, therefore, rests the connection upon a new and a false principle, goes directly against the root of Parliament, and is not a difficulty to be accommodated, but an error to be eradicated; and if any body of men can still think that the Irish constitution is incompatible with the

British empire, doctrine which I abjure as sedition against the connection; but if any body of men are justified in thinking that the Irish constitution is incompatible with the British empire, perish the empire! live the constitution! Reduced by this false dilemma to take a part, my second wish is the British empire, my first wish and bounden duty is the liberty of Ireland; but we are told this imperial power is not only necessary for England, but safe for Ireland.

What is the present question? what but the abuse of this very power of regulating the trade of Ireland by the British Parliament, excluding you and including herself by virtue of the same words of the same act of navigation? And what was the promovent cause of this arrangement? what but the power you are going to surrender—the distinct and independent external authority of the Irish Parliament, competent to question that misconstruction? What is the remedy now proposed?—the evil. Go back to the Parliament of England; I ask again, what were the difficulties in the way of your eleven propositions? what but the jealousy of the British manufacturers on the subject of trade? And will you make them your parliament, and that too for ever, and that too on the subject of their jealousy, and in the moment they displayed it! I will suppose that jealousy realized; that you rival them in some market abroad, and that they petition their Parliament to impose a regulation which shall affect a tonnage which you have, and Great Britain has not; how would you then feel your situation, when you should be obliged to register all this? And how would you feel your degradation, when you should see your own manufacturers pass you by as a cypher in the constitution, and deprecate their ruin at the bar of a foreign parliament! Whence the American war? Whence the Irish restrictions? Whence the misconstruction of the act of navigation? Whence but from the evil of suffering one country to regulate the trade and navigation of another, and of instituting, under the idea of general protectress, a proud domination, which sacrifices the interest of the whole to the ambition of a part, and arms the little passions of the monopolist with the sovereign potency of an Imperial Parliament: for great nations, when cursed with unnatural sway, follow but their nature when they invade; and human wisdom has not better provided for human safety, than by limiting the principles of human power. The surrender of legislature has been linked to cases that not unfrequently take place between two equal nations, covenanting to suspend, in particular cases, their respective legislative powers for mutual benefit; thus Great Britain and Portugal agree to suspend their legislative power in favour of the wine of the one, and the woollen of the other; but if Portugal had gone

farther, and agreed to subscribe the laws of England, this covenant had not been a treaty, but conquest; so Great Britain and Ireland may covenant not to raise high duties on each other's manufactures; but if Ireland goes farther, and covenants to subscribe British law, this is not a mutual suspension of the exercise of legislative power, but a transfer of the power itself from one country to another, to be exercised by another hand; such covenant is not reciprocity of trade; it is a surrender of the government of your trade, inequality of trade, and inequality of constitution. I speak, however, as if such transfer could take place; but in fact it could not: any arrangement so covenanting is a mere nullity; it could not bind you, still less could it bind your successors; for a man is not omnipotent over himself, neither are your parliaments omnipotent over themselves, to accomplish their own destruction, and propagate death to their successors; there is in these cases a superior relationship to our respective creators—God and the community, which, in the instance of the individual, arrests the hand of suicide, and in that of the political body, stops the act of surrender, and makes man the means of propagation, and parliament the organ to continue liberty, not the engine to destroy it. However, though the surrender is void, there are two ways of attempting it; one, by a surrender in form, the other, by a surrender in substance; appointing another parliament your substitute, and consenting to be its register or stamp, by virtue of which to introduce the law and edict of another land; to clothe with the forms of your law, foreign deliberations, and to preside over the disgraceful ceremony of your own abdicated authority; both methods are equally surrenders, and both are wholly void. I speak on principle, the principle on which you stand—your creation. We, the limited trustees of the delegated power, born for a particular purpose, limited to a particular time, and bearing an inviolable relationship to the people who sent us to parliament, cannot break that relationship, counteract that purpose, surrender, diminish, or derogate from those privileges we breathe but to preserve. Could the Parliament of England covenant to subscribe your laws? could she covenant that young Ireland should command, and old England should obey? If such a proposal to England were mockery, to Ireland it cannot be constitution. I rest on authority as well as principle—the authority on which the revolution rests. Mr. Locke, who, in his chapter on the abolition of government, says, "that the transfer of legislative power is the abolition of the state, not a transfer." Thus, I may congratulate this House and myself, that it is one of the blessings of the British constitution, that it cannot perish of rapid mortality, nor die in a day, like the men who should protect

her. Any act that would destroy the liberty of the people, is dead-born from the womb. Men may put down the public cause for a season, but another year would see old Constitution advance the honours of his head, and the good institution of Parliament shaking off the tomb to re-ascend, in all its pomp and pride, and plenitude, and privilege!

Sir, I have stated these propositions, and the bill, as a mere transfer of external legislative authority to the Parliament of Great Britain, but I have understated their mischief; they go to taxation; taxes on the trade with the British plantations, taxes on the produce of foreign plantations, taxes on some of the produce of the United States of North America; they go to port duties, such as Great Britain laid on America! The mode is varied, but the principle is the same. Here Great Britain takes the stamp of the Irish Parliament; Great Britain is to prescribe, and Ireland is to obey! We anticipate the rape by previous surrender, and throw into the scale our honour as well as our liberty. Do not imagine that all these resolutions are mere acts of regulation; they are solid, substantial revenue, a great part of your additional duty. I allow the bill excepts rum and tobacco; but the principle is retained, and the operation of it only kept back. I have stated that Great Britain may by these propositions crush your commerce, but I shall be told that the commercial jealousy of Great Britain is at an end: but are her wants at an end? are her wishes for Irish subsidy at an end? No; and they may be gratified by laying colony duties on herself, and so raising on Ireland an imperial revenue to be subscribed by our Parliament, without the consent of our Parliament, and in despite of our people: or, if a minister should please to turn himself to a general excise, if wishing to relieve from the weight of further additional duties the hereditary revenue now alienated, if wishing to relieve the alarms of the English manufacturers, who complain of our exemption from excises, particularly on soap, candles, and leather, he should proceed on those already registered articles of taxation; he might tax you by threats, suggesting that if you refuse to raise an excise on yourself, England will raise colony duties on both. See what a mighty instrument of coercion, this bill and these resolutions! Stir, and the minister can crush you, in the name of Great Britain; he can crush your imports; he can crush your exports; he can do this in a manner peculiarly mortifying, by virtue of a clause in a British act of Parliament, that would seem to impose the same restrictions on Great Britain; he can do this in a manner still more offensive, by the immediate means of your own Parliament, who would be then an active cypher, and noto-

rious stamp, in the hands of Great Britain, to forge and falsify the name and authority of the people of Ireland. I have considered your situation under these propositions with respect to Great Britain: see what would be your situation with respect to the crown: you would have granted to the King a perpetual money bill, or a money bill to continue as long as the Parliament of Great Britain shall please, with a covenant to increase it as often as the British Parliament shall please. By the resolutions, a great part of the additional duty would have been so granted; the trade of the country is made dependant on the Parliament of Great Britain, and the Crown is made less dependant on the Parliament of Ireland, and a code of prerogative added to a code of empire. If the merchant, after this, should petition you to lower your duties on the articles of trade, you answer, "trade is in covenant." If your constituents should instruct you to limit the bill of supply, or pass a short money bill, you answer, "the purse of the nation, like her trade, is in covenant." No more of six months' money bills; no more of instructions from constituents, that connection is broken by this bill: pass this, you have no constituent; you are not the representative of the people of Ireland, but the register of the British Parliament, and the equalizer of British duties.

In order to complete this chain of power, one link (I do acknowledge) was wanting, a perpetual revenue bill, or a covenant from time to time to renew the bill for the collection thereof. The twentieth resolution, and this bill founded upon it, attain that object. Sir, this House rests on three pillars; your power over the annual mutiny bill; your power over the annual additional duties; your power over the collection of the revenue. The latter power is of great consequence, because a great part of our revenues are granted for ever. Your ancestors were slaves; and for their estates, that is, for the act of settlement, granted the hereditary revenue, and from that moment ceased to be a parliament; nor was it till many years after, that parliament revived; but it revived, as you under this bill would continue, without parliamentary power; every evil measure derived argument, energy, and essence, from this unconstitutional fund. If a country gentleman complained of the expenses of the Crown, he was told a frugal government could go on without a parliament, and that we held our existence by withholding the discharge of our duty. However, though the funds were granted for ever, the provision for the collection was inadequate; the smuggler learned to evade the penalties, and parliament, though not necessary for granting the hereditary revenue, became necessary for its collection. Here then we rest on three pillars: the annual mutiny bill, the annual additional supply,

and the annual collection of the revenue. If you remove all these, this fabric falls; remove any one of them, and it totters; for it is not the mace, nor the chair, nor this dome, but the deliberate voice resident therein, that constitutes the essence of parliament. Clog your deliberations, and you are no longer a parliament, with a thousand gaudy surviving circumstances of show and authority.

Contemplate for a moment the powers this bill presumes to perpetuate; a perpetual repeal of trial by jury; a perpetual repeal of the great charter; a perpetual writ of assistance; a perpetual felony to strike an exciseman!

The late Chief Baron Burgh, speaking on the revenue bill, exclaimed, "You give to the dipping rule, what you should deny to the sceptre."

All the unconstitutional powers of the excise we are to perpetuate; the constitutional powers of Parliament we are to abdicate. Can we do all this? can we make these bulky surrenders, in diminution of the power, in derogation of the pride of Parliament, and in violation of those eternal relationships which the body that represents should bear to the community which constitutes?

The pretence given for this unconstitutional idea is weak indeed; that, as the benefits are permanent, so should be the compensation. But trade-laws are to follow their nature, revenue-laws to follow their's. On the permanent nature of commercial advantages depends the faith of trade; on the limited nature of revenue-laws depends the existence of parliament: but the error of argument arises from the vice of dealing. It is a market for a constitution, and a logic, applicable to barter only, is applied to freedom. To qualify this dereliction of every principle and power, the surrender is made constitutional, that is, the British market for the Irish constitution; the shadow of a market for the substance of a constitution! You are to reserve an option, trade, or liberty; if you mean to come to the British market, you must pass under the British yoke. I object to this principle in every shape, whether you are, as the resolution was first worded, directly to transfer legislative power to the British Parliament; whether, as it was afterwards altered, you are to covenant to subscribe her acts; or whether, as it is now softened, you are to take the chance of the British market, so long as you waive the blessings of the British constitution—terms dishonourable, derogatory, incapable of forming the foundation of any fair and friendly settlement, injurious to the political morality of the nation. I would not harbour a slavish principle, nor give it the hospitality of a night's lodging in a land of liberty! Slavery is like any other vice, tolerate, and you embrace. You

should guard your constitution by settled maxims of honour, as well as wholesome rules of law; and one maxim should be, never to tolerate a condition which trenches on the privilege of parliament, or derogates from the pride of the island. Liberal in matters of revenue, practicable in matters of commerce; on these subjects I would be inexorable; if the genius of old England came to that bar, with the British constitution in one hand, and in the other an offer of all that England retains, or all that she has lost of commerce, I should turn my back on the latter, and pay my obeisance to the blessings of her constitution; for that constitution will give you commerce, and it was the loss of that constitution that deprived you of commerce. Why are you not now a woollen country? because another country regulated your trade. Why are you not now a country of re-export? because another country regulated your navigation. I oppose the original terms as slavish, and I oppose the conditional clause as an artful way of introducing slavery, of soothing a high-spirited nation into submission by the ignominious delusion, that she may shake off the yoke when she pleases, and once more become a free people. The direct unconstitutional proposition could not have been listened to, and therefore resort is had to the only possible chance of destroying the liberty of the people, by holding up the bright reversion of the British constitution, and the speculation of future liberty, as a consolation for the present submission. But would any gentleman here wear a livery to-night because he might lay it aside in the morning? or would this House substitute another because next year it might resume its authority, and once more become the Parliament of Ireland? I do not believe we shall get the British, but I do not want to make an experiment on the British market, by making an experiment likewise on the constitution and spirit of the people of Ireland. But do not imagine, if you shall yield for a year, you will get so easily clear of this inglorious experiment: if this is not the British market, why accept the adjustment? and if it is, the benefit thereof may take away your deliberate voice. You will be bribed out of your constitution by your commerce: there are two ways of taking away free-will, the one by direct compulsion, the other by establishing a præpollent motive. Thus, a servant of the Crown may lose his free-will, when he is to give his vote at the hazard of his office, and thus a parliament would lose its free-will, if it acted under a conviction that it exercised its deliberate function at the risk of its commerce. No question would stand upon its own legs, but each question would involve every consideration of trade, and, indeed, the whole relative situation of the two countries. I beseech you to con-

sider that situation, and contemplate the powers of your own country, before you agree to surrender them. Recollect that you have now a right to trade with the British plantations, in certain articles, without reference to British duties; that you have a right to trade with the British plantations in every other article, subject to the British duties; that you have a right to get clear of each and of every part of that bargain; that you have a right to take the produce of foreign plantations, subject to your own unstipulated duties; that you have a right to carry on a free and unqualified trade with the United States of North America; that you have a right to carry on an experimental trade in countries contiguous to which Great Britain has established her monopolies: the power of trade this, and an instrument of power, and station and authority of the British empire! Consider that you have likewise a right to the exclusive supply of your own market, and to the exclusive reserve of the rudiment of your manufactures; that you have an absolute dominion over the public purse and over the collection of the revenue. If you ask me how you shall use these powers, I say for Ireland, with due regard to the British nation, let them be governed by the spirit of concord, and with fidelity to the connexion; but when the mover of the bill asks me to surrender those powers, I am astonished at him. I have neither ears, nor eyes, nor functions, to make such a sacrifice. What! that free trade, for which we exerted every nerve in 1779; that free constitution for which we pledged life and fortune in 1782! Our lives are at the service of the empire; but—our liberties! No; we received them from our Father which is in Heaven, and we will hand them down to our children! But if gentlemen can entertain a doubt of the mischief of these propositions, are they convinced of their safety? the safety of giving up the government of your trade? No! the mischief is prominent, but the advantage is of a most enigmatical nature. Have gentlemen considered the subject? have they traced even the map of the countries, the power or freedom of trading with whom they are to surrender for ever? Have they traced the map of Asia, Africa, and America? Do they know the French, Dutch, Portuguese, and Spanish settlements. Do they know the neutral powers of those countries, their produce, aptitudes, and dispositions? Have they considered the state of North America? its present state, future growth, and every opportunity in the endless succession of time attending that nurse of commerce and asylum of mankind? Are they now competent to declare on the part of themselves and all their posterity, that a free-trade to those regions will never, in the efflux of time, be of any service to the kingdom of Ireland? If they have information

on this subject, it must be by a communication with God, for they have none with man: it must be inspiration, for it cannot be knowledge. In such circumstances, to subscribe this agreement, without knowledge, without even the affectation of knowledge, when Great Britain, with all her experience, and every means of information from East Indies, West Indies, America, and with the official knowledge of Ireland at her feet, has taken six months to deliberate, and has now produced twenty resolutions, with an history to each, amounting to a code of empire, not a system of commerce: I say, in such circumstances, for Ireland to subscribe this agreement, would be infatuation —an infatuation to which the nation could not be a party, but would appear to be concluded, or indeed huddled, with all her posterity, into a fallacious arrangement, by the influence of the Crown, without the deliberation of Parliament, or the consent of the people! This would appear the more inexcusable, because we are not driven to it; adjustment is not indispensable; the great points have been carried! An inferior question about the home market has been started, and a commercial fever artificially raised; but while the great points remain undisturbed, the nations cannot be committed; the manufacturers applied for protecting duties, and have failed; the minister offered a system of reciprocity, and succeeded in Ireland, but has failed in England: he makes you another offer, inconsistent with the former, which offer the English do not support, and the Irish deprecate.

We can go on; we have a growing prosperity, and as yet an exemption from intolerable taxes; we can from time to time regulate our own commerce, cherish our manufactures, keep down our taxes, and bring on our people, and brood over the growing prosperity of young Ireland. In the mean time we will guard our free trade and free constitution, as our only real resources: they were the struggles of great virtue, the result of much perseverance, and our broad base of public action! We should recollect that this House may now, with peculiar propriety, interpose, because you did, with great zeal and success, on this very subject of trade, bring on the people; and you did, with great prudence and moderation, on another occasion, check a certain description of the people, and you are now called upon by consistency to defend the people. Thus meditating between extremes, you will preserve this island long, and preserve her with a certain degree of renown. Thus faithful to the constitution of the country, you will command and insure her tranquillity; for our best authority with the people is, protection afforded against the ministers of the Crown. It is not public clamour but public injury that should alarm you; your high ground of expostulation with your fellow sub-

jects has been your services; the free trade you have given the merchant, and the free constitution you have given the island! Make your third great effort;—preserve them, and with them preserve unaltered your own calm sense of public right, the dignity of the parliament, the majesty of the people, and the powers of the island! Keep them unsullied, uncovenanted, uncircumscribed, and unstipendiary! These paths are the paths to glory; and, let me add, these ways are the ways of peace: so shall the prosperity of your country, though without a tongue to thank you, yet laden with the blessings of constitution and of commerce, bear attestation to your services, and wait on your progress with involuntary praise!

IRISH FEELING.

6th September, 1785.

THERE are gentlemen who will call England the whole empire, and her exclusive power and domination, the general welfare; and the servants of government in Ireland may, if they would stoop to it, on such a principle, advance a pretence for abjuring every prejudice of their nativity; every special advantage of their own country, and for preferring the power of another land. Regard, I acknowledge, should be constantly had to the general welfare of the whole empire, whenever it is really concerned; but let me add, that general welfare should never be made a pretence, nor be artificially and wantonly introduced; and in an arrangement, where Irish trade is professedly the subject, that trade ought to be expressly the object. I laugh at those Irish gentlemen who talk as if they were the representatives of something higher than their native land—the representatives of empire, not of Ireland; but so talking and so acting, they will be in fact the representatives of their salary. Let me tell those gentlemen, if they are not Irishmen, they are nothing; and if we are not the representatives of Ireland, we are nothing. I am the more averse to the revival of this bill or its principle, because such revival must be accompanied with a new negotiation—a negotiation wherein the British minister would be the ambassador for England and Ireland, or rather, the British minister would be the ambassador for England, and the servant of that minister would be the ambassador for Ireland; and where there is no personal equality in the negotiators, there can be no political equality in the result of the treaty. If any thing could render the revival of this

business still more alarming, it would be the doctrines which have been advanced to defend it. We have been gravely, positively, and dogmatically assured, that this country is, for the comforts and necessaries of life, for the rudiments of manufacture, and even for the element of fire, absolutely dependant on Great Britain; we have been assured that we can find no coals, nor bark, nor salt, nor hops, anywhere, save only in Great Britain; in short, that Ireland has no coals, nor the continent salt, bark, or hops, to the astonishment, and, indeed, laughter of every merchant who heard such assertions; we have been told this, and we have been thus argued down into a state of physical slavery.

Ireland has been represented as the slave of England, by the laws of nature, in order to justify a system which would have made us her slave by force and operation of covenant. We have been further told in debate, and in public prints, that our trade has no claim to the protection of the British navy. Sir, you pay for that protection; you paid for it long ago; I tell you, that payment was the crown of Ireland. You annexed the crown of Ireland to that of Great Britain, and have a right to the protection of her navy, as much as she has a right to consider you as part of the empire. Protecting you with her navy, she protects her own balance and weight in Europe, and preserves an empire which would else be reduced to an island; but if you are protected by an English, not an Irish navy, it is not that you have not granted taxes, but that Great Britain naturally chooses to have but one navy in the empire, and very naturally wishes that navy to be her own.—You are prevented from having an Irish navy, and should not be reproached with the protection of the British; as gentlemen have triumphantly displayed the dependancy of their native land on Great Britain, they have most anxiously concealed her value and importance —the importance of her linen yarn, bay yarn, hides, provisions, and men; the importance of her assent to the monopolies of Great Britain, East and West, and to the continuation of the act of navigation.—Under such false impressions then, in those who are perhaps to act on the part of Ireland, an ignorance or concealment of her real consequences and resources, and the false persuasion of her insignificance and dereliction, nay, I will add, a zeal to display an offensive catalogue of her wants and wretchedness; I ask, what treaty will be made under these circumstances, that shall be to your advantage? Let me therefore caution my country against the revival of this bill, and against those arguments which have a tendency to put down the pretensions of Ireland, and humble the pride of the Irish nation; public pride is the best champion of public liberty; cherish it, for if ever this kingdom

shall fall in her own esteem, shall labour under a prepossession of impotence, shall conceive she cannot have the necessaries of life or manufacture, but from the charity of another country, in short, that God and nature have put it in a state of physical bondage, I say, if once this becomes her sentiments, your laws are nothing, your charters are paper, and Ireland is a slave with magna charta in her hand; let us not then put down our native land, and rob her of her pride, to rob her of her constitution.

TITHES.

14*th February*, 1788.

A TENTH of your land, your labour, and your capital, to those who contribute in no shape whatsoever to the produce, must be oppression; they only think otherwise who suppose that every thing is little which is given to the parson; that no burden can be heavy, if it is the weight of the parson; that landlords should give up their rent, and tenants the profits of their labour, and all too little; but uncertainty aggravates that oppression; the full tenths ever must be uncertain as well as oppressive; for it is the fixed proportion of a fluctuating quantity, and unless the high priest can give law to the winds, and ascertain the harvest, the tithe, like that harvest, must be uncertain; but this uncertainty is aggravated by the pernicious motives on which tithe frequently rises and falls. It frequently rises on the poor; it falls in compliment to the rich. It proceeds on principles the reverse of the Gospel; it crouches to the strong, and it encroaches on the feeble; and is guided by the two worst principles in society, servility and avarice united, against the cause of charity, and under the cloak of religion.

Here let me return to and repeat the allegations, and call on you once more to make the inquiry. It is alleged, that in certain parishes of the south, tithe has been demanded and paid for what, by law, was not liable to tithe; and that the ecclesiastical courts have countenanced the illegal exaction; and evidence is offered at your bar to prove the charge on oath.

Will you deny the fact? Will you justify the fact? Will you inquire into it?

It is alleged, that tithe-proctors, in certain parishes of the south,

do exact fees for agency, oppressive and illegal; and evidence to prove the charge is offered on oath. Will you deny the fact? Will you justify the fact? Will you inquire into it?

It is alleged, that in certain parishes of the south, tithes have been excessive, and have observed no equity for the poor, the husbandman, or the manufacturer; and evidence is offered to prove this charge on oath!

Will you deny the fact? Will you justify the fact? Will you inquire into it?

It is alleged, that in certain parishes of the south, ratages for tithes have greatly and unconscionably increased; and evidence is offered to prove this charge on oath. Will you deny the fact? Will you justify the fact? Will you inquire into it?

It is alleged, that in certain parishes of the south, the parishioners have duly and legally set out their tithe, and given due notice; but that no persons have attended on the part of the proctor or parson, under expectation, it is apprehended, of getting some new method of recovery, tending to deprive the parish of the benefit of its ancient right, that of setting out their tithe; and evidence is offered to prove this charge on oath.

It is alleged, that in certain parishes of the south, tithe-farmers have oppressed, and do oppress His Majesty's subjects, by various extortions, abuses of law, or breaches of the same; and evidence is offered to prove this charge on oath. Here, once more, I ask you, will you deny the fact? Will you justify the fact? Will you inquire into it?

This being the state of the church in certain parishes in the south, I wish to know, what in the mean time within those districts becomes of religion? Here are the parson and parish at variance, about that which our religion teaches us to despise—riches. Here is the mammon of unrighteousness set up to interrupt our devotion to the true God. The disinterested, the humble, the apostolical character, during this unseemly contest, what becomes of it? Here are two powers, the power in the tenant to set out his tithe, the power in the church to try the matter in dispute by ecclesiastical jurisdiction; two powers vested by the law in the respective hands of church and laity, without any effect but to torment one another; the power of setting of tithe does not affect to defend the tenant against unconscionable demand; and if attended with combination, secures him against any effectual demand whatsoever. The power of trying the matter in dispute, by ecclesiastical jurisdiction, does not take place, except in cases of subtraction, and when it does take place, is a partial trial. Thus, as the

law now stands, combination is the defence of laity, and partiality of the church.

The equity in favour of the tiller of the soil (a very necessary equity indeed) becomes a new source of disturbance, because the parties are not agreed what that equity should be; the countryman, not conceiving that any one can in equity have a right to the tenth of his land, labour, and capital, who does not own the land, nor plough, nor sow, nor reap, nor contribute, in any degree whatsoever, to the produce. The tithe-farmer having no idea, but that of iniquity on the subject. The parson, perhaps, conceiving that a tenth on tillage is a bare compensation in equity, for what he deems the greatest of all iniquity, your vote of agistment. Thus, the two parties, the parson and his parish, the shepherd and his flock, with opposite opinions, and mutual powers of annoyance, in the parts I have alluded it, seem to go on in a rooted animosity and silent war.

Conceive the pastor looking over the hedge, like a spy, to mulct the extraordinary labours of the husbandman.

Conceive him coming into the field, and saying, "You are a deserving husbandman; you have increased the value of your field by the sweat of your brow; Sir, I will make you pay me for that;" or conceive a dialogue between a shepherd and one of his flock; "I will take your tenth sheaf; and if you choose to vex me, your tenth hen, and your tenth egg, and your tenth goose" (not so the apostles); or conceive him speaking to his flock by parable, and saying, "The ass stopped with his burden; and his burden was doubled, and still he stopped, and his burden was still increased; and then the perverse animal, finding his resistance in vain, went on; so even you shall find resistance but increase your load, until the number of acts of parliament shall break your back."

These pastoral discourses, if they have taken place, however well intended, will not, I fear, greatly advance the cause of the faithful, particularly in a country where the numbers remain to be converted to the Protestant religion, not only by the superior purity of its doctrine, but by the mild disinterested peace-making spirit of its teachers.

Will not the dignitaries of the church interpose on such an occasion? How painful must it have been to them, the teachers of the Gospel, and, therefore, enemies to the shedding of blood, to have thought themselves under the repeated necessity of applying to Parliament for sanguinary laws. The most sanguinary laws on your statute-books are tithe-bills; the White-Boy act is a tithe-bill; the riot act, a tithe-bill.

How painful to those dignitaries must it be, to feel themselves in

the office of making perpetual complaints against their own flock, and to be conscious, in some instances, of having jaded and disgusted the ears of the court, by charges against the peasantry? How painful for them to have repeated recourse to the military in their own case, and to think that many of their sinful flock, but their flock notwithstanding, were saved from the indiscriminating edge of the sword by ecclesiastical zeal, tempered and withheld, and, in some cases, disappointed by the judicious mercy of military command?

We, the laity, were right in taking the strongest measures the last session: it was our duty to assert; but of these churchmen, it is the duty, and I suppose the nature, to deprecate, to incline to the mild, the meek, the dispassionate, and the merciful side of the question, and rather to prevent by moderation than punish by death.

Whether these exactions were in themselves sufficient to have produced all the confusion of the last year, I know not, but this I do believe, that no other cause had been sufficient without the aid of exaction; if exaction had not existed, the south would not, I believe, have been convulsed. A controverted election alone could not well have been an adequate cause; the objects of attack must, in some cases, have been something more than partizans, and the flames spread by contagion, the first touch must have been an accident, but the people were rendered combustible by oppression.

The White-Boy should be hanged; but I think the tithe-farmer should be restrained: I would inflict death on the felon, and impose moderation on the extortioner; and thus relieve the community from the offences of both.

But do not let us so far mistake the case, as to suppose it a question between the parson and the White-Boy; or that the animosity which has been excited is confined to felons; no; it is extended far more generally; it is extended to those who have been active in bringing those felons to justice; and men will appear at your bar who have suffered under excess of demand, and have acted to restore peace, the instrument of quiet, and the objects of exaction; let us, therefore, examine the subject, and having already, with great propriety, taken the most decisive steps against the insurgent, let us inquire now into the cause of the outrage, and see whether exaction might not have had some share, at least, in the origin of it; and if so, let us strive to form some plan which may collect the riches of the church, without repetition of penal laws or of public disturbance.

In forming a plan for the better provision of the church, the first thing to be considered is the quantum of provision; the second consideration is the funds from whence that provision is to arise. The

quantum of provision should be the usual net income on an average of years, except in some parishes of great exaction; I say usual, because I would not materially alter their allowance; I say, on an average of years, because I would not make recent encroachment on property; I say net, because when the public shall become the tithe proprietor's agent, the public will have a right to the benefit of the agency.

That their income is discoverable I affirm, and I affirm it under the authority of their own act, and their own practice. Without going farther back than the last session, you will find the compensation-act requires the person suing on the act to make a discovery of his customary income, and in some cases discovery of his ratages for three years back on oath; it requires that he should, in his affidavit, set forth that the valuation of 1786 is made, as near as possible, the ratage of the three former years; it requires that where a valuation of the tithe of 1786 could not be made, a valuation of the customary tithe for three years back should; it enables the court to appoint persons to inquire into the fact, and call for parties and papers, and thus establishes two principles which were denied; that the annual income of benefices is discoverable, and that the particular ratage is discoverable also. I might go back to the act of Henry VIII., which requires that a commission should be directed to inquire into ecclesiastical benefices and to report the value of the same; and I might further adduce the act of William III., which gives to the ecclesiastical person who builds, two-thirds of the sum expended, which sum is to be ascertained by a certificate; which certificate, by the 12th of George II., shall contain an account of the clear yearly income of the benefice. After these instances, I hope no man will deny that the income of the clergyman is discoverable; particularly, when the compensation-act of the last winter requires such a discovery to be made on the oath of the parson. That act was supported by the whole bench of bishops; it was probably framed with their advice and suggestions. They would not require their clergy to report on their oath what they themselves conceived, or had maintained to be impossible; as if it was impossible to make a discovery for the purpose of commutation, but, for the purpose of compensation, easy and obvious. Thus, when I affirm the discoverability of the clergyman's income, I have not only the authority of the church, but its oath. The net return should be the parson's perpetual income, subject to the exception stated above; but in order to guard him against the fluctuation of currency, I would fix the value of that income in grain; it should be the value of so many barrels of wheat, to be estimated every seven years by the corn-office, or the clerk of the market, who now quarterly strikes the average value of corn

throughout the kingdom. Thus, his income should not be absolutely either corn or money; but the value of so much corn to be paid in money.

As to the fund from whence these receipts should arise, that fund should be a charge on the barony, to be levied like other county charges. This method is easy, for it is already in use; the head constable should be the parson's collector, and the county should be his security.

To this I know the objection, and it is an objection which can be best answered by those who make it. It will be said that this scheme prevents the division of unions, and the increase of poor livings.—Apply the first fruits as they ought for the increase of poor livings, and the repairs of the church, and then you will answer your own argument; but a fictitious and remote valuation for the benefit of the rich clergy has been made of these charitable funds, frustrating the purpose of the charity equally to the neglect of the church and the poor. The luxury of the priest has usurped the funds of the poor and of the church, then sets up against both a miserable modus, and prescribes in this instance against charity and religion.

However, if the dignitaries of the church will not, Parliament may answer this argument, and provide for more clergy as occasion shall permit. You imparish by act of Parliament; with proper provision, when you see the necessity, you may divide. The care of religion is placed no where better than in the legislature. Popery will tell you, that when it was entirely left to the care of the priesthood, it was perverted and destroyed.

But, if objections should be made to this plan; and in order to give the church the growth of the country, there is another plan, a modus; let every article which shall be subject to tithe be set forth in a tithing table, with certain ratages annexed, let those ratages be taken, and set forth in the tithing table as now equivalent to so many stone of bread corn.

Let the act provide, that there shall be a septennial valuation of bread corn, by the clerk of the market, or the proper officer.

Let there be an exemption for the rudiments of manufacture, and a saving for all local custom and exemptions: such as potatoes in most places, hay in several, and such like.

In order to form this modus, which should be provincial, not universal, let four provincial committees be appointed. You will see a precedent in your journals; on the report of these provincial committees, form your bill. In your bill you will probably think proper to give agistment, or a certain sum for head-money, not in addition to, but in case of ratages on tillage.

In forming your ratages, you will probably inquire into the acreable ratages now established, and adopt them where they are reasonable, and reject them where they are exorbitant: where there are no acreable ratages established, the contiguous parish or county, where they are established, will furnish you with a rule.

If once you appoint committees, the parson and parish will both come forth with information; and from both you will collect the present ratages, and be enabled to make a rule. In forming this rule, you will probably think proper to exempt the poor man's garden in the south from the tithe of potatoes.

The true principle, with respect to your peasantry, is exoneration; and if I could not take the burden entirely off their back, I would make that burden as light as possible; I would exempt the peasant's cow and garden from tithe; if I could not make him rich, I would do the next thing in my power; I would consider his property as sacred, and vindicate against an extortioner the hallowed circle of his little boundary. The loss to the church might be easily compensated, particularly if you give agistment or head-money in case of tillage.

I would also relieve the north from small dues, as I would relieve the poor of the south from the tithe of potatoes; and where these small dues had long obtained, I would make the parson compensation, either by giving him head-money, or by making an estimate of these dues, and raising them in the way of other county charges.

Should it be said, that we should as well exempt the peasant from rent as well as from tithe; to that uncharitable and unchristian observation, I answer, no. The land is not his own, but his labour is his own. The peasant is born without an estate; he is born with hands, and no man has a natural right to the labour of those hands, unless he pays him: thus, when you demand of the peasants rent, you ask for your own estate; when you demand tithe, you ask for a portion of the peasant's estate, the poor man's only estate, the inheritance which he has in the labour of his hand, and the sweat of his brow.

Human laws may make alterations, and when made must be observed; but it should be the policy of human laws to follow the wisdom of the law of nature.

The result of these principles, and of these committees, proceeding on the rules I have submitted, would be the benefit of the church, as well as the relief of the farmer, for establishing a modus on the average ratages of a certain number of years, except in cases of exaction, you would give the church as much as they have at present, except in those instances of unconscionable demand; and as the ratages would come net to the owner of the tithe, you would, in fact, on this principle,

give the church more; the spoil of the tithe-farmer would, therefore, enable you even to lower the ratage, and yet give more to the church; so that the result would probably be, that the moderate clergyman would get more, and the uncharitable clergyman would get less, which would be a distribution of justice, as well as of property.

Having once agreed on the modus, I would wish to give the clergy, or lay impropriator, for the recovery of their income, any mode they chose to appoint, civil bill, or any other method, and then you will save them the charge and disgrace of an expensive agency, which expense arises from the difficulty of the recovery, and the uncertainty of the demand; and if you add the facility and cheapness of collection, with the certainty of income, to the quantum, under the modus, on the principles I have stated, you will find the value of the church property would, even in the opinion of a notary public, be increased, though the imaginary claim would be circumscribed and diminished. This is no commutation, no innovation; here is only a regulation of tithe, and an abolition of tithe-farmers, and of those abuses which have grown out of the uncertainty of tithe; it takes from tithe its deadly sting—uncertainty, and makes it cease to be a growing penalty on extraordinary labour; and it puts the question directly to the moderation of the church. Will you insist on indefinite demand, and unconscionable ratage, as an essential part of the Christian religion, or the Protestant establishment? The Bible is the answer to this question, even though the clergyman should be silent; and therefore it is, that I press this method the more, because it does not involve the subject in speculation, nor rest the redress of the peasantry on the ingenuity of system, but makes that relief a matter of moderation, and of Christian charity. Were you disposed to go further, you might form, on this regulation, a commutation, which should more effectually relieve the plough, and should, at the same time, give the benefit of the growth of the country to the church: Let a person in each parish be appointed in vestry, by the parson and the parishioners, and if they do not agree, let each appoint their own, who shall every year make a return of acres under tillage to applotters, who shall make a valuation of the same according to a tithing-table, such as I have stated, to be established by act of parliament, and that valuation to be raised in the manner of other baronial charges. Thus the parson's income would increase with the extent of tillage, without falling principally on the plough. The principle of this plan, if you choose to go beyond a modus is obvious. The mechanical part of this, and of the other regulation which I have submitted, will be best detailed in the provincial committees, if you shall choose to appoint them; for, in fact,

your plan must arise out of the inquiry, and the resolutions of these committees; and the great difficulty on the subject, is your aversion to the inquiry. There are other difficulties, I allow; the difficulties of pride, the difficulties of passion, the difficulties of bigotry, contraction of the head, and hardness of the heart.

"Tithes are made more respectable than, and superior to, any other kind of property. The high-priest will not take a parliamentary title;" that is, in other words, he thinks they have a divine right to tithe.

Whence? None from the Jews; the priesthood of the Jews had not the tenth; the Levites had the tenth because they had no other inheritance; but Aaron and his sons had but the tenth of that tenth; that is, the priesthood of the Jews had but the hundredth part, the rest was for other uses; for the rest of the Levites, and for the poor, the stranger, the widow, the orphan, and the temple.

But supposing the Jewish priesthood had the tenth, which they certainly had not, the Christian priesthood does not claim under them. Christ was not a Levite, nor of the tribe of Levi, nor of the Jewish priesthood, but came to protest against that priesthood, their worship, their ordinances, their passover, and their circumcision.

Will a Christian priesthood say, it was meet to put down the Jewish, but meet likewise to seize on the spoil? as if their riches were of divine right, though their religion was not; as if Christian disinterestedness might take the land, and the tithe given in lieu of land, and possessed of both, and divested of the charity, exclaim against the avarice of the Jews!

The apostles had no tithe; they did not demand it. They and He whose mission they preached, protested against the principle on which tithe is founded. "Carry neither scrip, nor purse, nor shoes; into whatsoever house ye go, say, peace."

Here is concord, and contempt of riches, not tithe. "Take no thought what ye shall eat, or what ye shall drink, nor for your bodies, what ye shall put on;" so said Christ to his apostles. Does this look like a right in his priesthood to a tenth of the goods of the community?

"Beware of covetousness; seek not what ye shall eat, but seek the kingdom of God."

"Give alms, provide yourselves with bags that wax not old; a treasure in heaven which faileth not." This does not look like a right in the Christian priesthood to the tenth of the goods of the community exempted from the poor's dividend.

"Distribute unto the poor, and seek treasure in heaven."

"Take care that your hearts be not charged with surfeiting and drunkenness, and the cares of this life."

One should not think that our Saviour was laying the foundation of tithe, but cutting up the roots of the claim, and prophetically admonishing some of the modern priesthood. If these precepts are of divine right, tithes cannot be so; the precept which orders a contempt of riches, the claim which demands a tenth of the fruits of the earth for the ministers of the Gospel.

The peasantry, in apostolic times, had been the object of charity, not of exaction. Those to whose cabin the tithe-farmer has gone for tithe of turf, and to whose garden he has gone for the tithe-potatoes, the apostles would have visited likewise; but they would have visited with contribution, not for exaction: the poor had shared with the apostles, though they contributed to the churchman.

The Gospel is not an argument for, but against the right-divine of tithe; so are the first fathers of the church.

It is the boast of Tertullian, "*Nemo compellitur sed sponte confert hæc quasi deposita sunt pietatis.*"

With us, men are not under the necessity of redeeming their religion; what we have is not raised by compulsion; each contributes what he pleases; *modicam unusquisque stipendium vel cum velit, et si modo velit, et si modo posset;* what we receive, we bestow on the poor, the old, the orphan, and the infirm.

Cyprian, the bishop of Carthage, tells you, the expenses of the church are frugal and sparing, but her charity is great; he calls the clergy his *fratres sportulantes;* a fraternity living by contribution!

"Forsake," says Origen, "the priests of Pharaoh, who have earthly possessions, and come to us who have none; we must not consume what belongs to the poor; we must be content with simple fare, and poor apparel."

Chrysostom, in the close of the fourth century, declares, that there was no practice of tithes in the former ages; and Erasmus says, that the attempt to demand them was no better than tyranny.

But there is an authority still higher than the opinions of the fathers, there is an authority of a council, the council of Antioch, in the fourth century, which declares, that bishops may distribute the goods of the church, but must take no part to themselves, nor to the priests that lived with them, unless necessity required them justly; "Have food and raiment; be therewith content."

This was the state of the church in its purity; in the fifth century, decimation began, and Christianity declined; then, indeed, the right of tithe was advanced, and advanced into a style that damned it. The preachers who advanced the doctrine, placed all Christian virtue in the payment of tithe. They said, that the Christian religion, as we

say the Protestant religion, depended on it. They said, that those who paid not their tithes, would be found guilty before God; and if they did not give the tenth, that God would reduce the country to a tenth. Blasphemous preachers! gross ignorance of the nature of things! impudent familiarity with the ways of God! audacious, assumed knowledge of his judgments, and a false denunciation of his vengeance! And yet even these rapacious, blasphemous men, did not acknowledge to demand tithes for themselves but the poor; alms! the debt of charity, the poor poor's patrimony. "We do not limit you to a precise sum; but you will not give less than the Jews;" *decimæ sunt tributa egentium animarum, redde tributa pauperibus.* Augustin goes on, and tells you, that as many poor as die in your neighbourhood for want, you not paying tithe, of so many murders will you be found guilty at the tribunal of God; *tantorum homicidiorum reus ante tribunal Eterni Judicis apparebit.* "Let us," says St. Jerome, "at least follow the example of the Jews, and part of the whole give to the priest and the poor." To these authorities we are to add the decree of two councils, the provincial council of Macon, in the close of the sixth century, and the decree of the council of Nantz, in the close of the ninth. The first orders that tithes may be brought in by the people, that the priest may expend them for the use of the poor, and the redemption of captives. The latter decrees that the clergy are to use the tithes, not as a property, but a trust; *non quasi suis sed commendatis.*

It was not the table of the priest, nor his domestics, nor his apparel, nor his influence, nor his ambition, but a Christian equipage of tender virtues, the widow, the orphan, and the poor; they did not demand the tithe as a corporation of proprietors, like an East-India Company, or a South-Sea Company, with great rights of property annexed, distinct from the community, and from religion; but as trustees, humble trustees to God, and the poor, pointed out, they presumed, by excess of holiness and contempt of riches. Nor did they resort to decimation, even under these plausible pretensions, until forced by depredations committed by themselves on one another. The goods of the church, of whatever kind, were at first in common distributed to the support of the church, and the provision of the poor; but at length, the more powerful part, those who attended the courts of princes, they who intermeddled in state affairs, the busy high-priest, and the servile, seditious, clerical politician; and particularly the abbots who had engaged in war, and had that pretence for extortion, usurped the funds, left the business of prayer to the inferior clergy, and the inferior clergy to tithe and the people!

Thus the claim of tithe originated in real extortion, and was propagated by affected charity; at first, for the poor and the church, afterwards subject to the fourfold division, the bishop, the fabric, the minister, and the poor; this in Europe!

In England, tithe is not founded on divine right, but was said to be introduced by murder. A king of Mercia, in the seventh century, assassinates another prince in a most barbarous manner, and grants, with what power I know not, the tenth of his subjects' goods, for absolution; but in England, as elsewhere, the fourfold division took place. So says Blackstone.

Nay, the preamble of the grant of Stephen recognises tithe to be alms:

"Since it is divulged, far and near, by the church, that souls may receive absolution by the grant of alms, I, Stephen, to save my own soul, that of my father's, and that of my mother's, and my relations."

Then he goes on, and grants or confirms tithes and other things.

Nay, there are two acts of Parliament express, one the 13th Richard II., providing that, for the appropriation of benefices, there shall be provision made for the vicar and the poor.*

The cause of this act of Parliament was benefices given to persons who did not, or could not preach, lay persons, sometimes nuns (as we give them to non-residents), to the neglect of the poor's portion.

These principles were departed from, and the trust most undoubtedly buried in oblivion; but, let me add, the Christian religion was forgotten likewise.

Hence, the Reformation bringing back Christianity to its old purity; and hence the superior and milder order of priests, who purged the spiritual and some of the temporal abominations, but did not entirely relinquish the claim to the tithe; though I must own great numbers have too much purity to insist on it; a claim which I have shown to have been in its creation an encroachment on the laity, and in its application, an encroachment on the poor. No divine right; no, nor natural right: the law of nature and the law of God are the same; the law of nature doth not give property, but the law of nature abhors that

* Because divers damages and hindrances have oftentimes happened by the appropriation of benefices in some places, it is agreed, that in every license it shall be expressly comprised, that the diocesan of the place shall ordain, according to the value of such churches, a convenient sum of money shall be paid and distributed yearly, out of the fruits and profits of some churches, to the poor parishioners of some churches, in aid of their sustenance for ever; likewise, that the vicar be well and sufficiently endowed. Statute Henry IV. confirms this act.

disproportion of property which is to be found in the claim of 900 or 1000 men to the tenth of the goods of 3,000,000; a claim in the 3000th part of the community to the tenth of its property; surfeit on the part of the few; famine on the part of the many; a distribution of the fruits of the earth; impossible, beastly, shocking in itself, and, when accompanied with a claim to extravagant moderation and purity, ridiculous and disgusting! a claim against the proportions of nature and the precepts of the Gospel!

I know there are acts of Parliament on this subject. The act of Henry VIII., which requires the setting out of the tithe; an act of collection, not creation; an act which had the lay impropriator in view, and which seems to take for granted a claim of superstition, founded on the pretence of charity. I know there are many subsequent acts (which are called tithe-bills) intended to assist the collection of customary, not full tithe, and in that confidence granted by Parliament.

I am not now inquiring whether the claim to the full tithe is legal, but whether the application of that tithe, for the sole purpose of supporting the priest, is usurpation. And I have shown you that tithe was a charity, subject to the support of the poor in the first place, and the priest in the last. I have shown you, that tithe does not stand on the delicate ground of private property. I have shown you that it was a trust, converted into a property, by abuse; which abuse the legislature may control, without sacrilege or robbery. If a right to the full tenth is yet insisted on, give them the full tenth, on the principles on which alone they at first ventured to demand it; subject to a poor-rate. Let the trust be executed; let widows and orphans share it; let the house of industry, and the various hospitals and infirmaries, share it. Let the house of God (now an hovel repaired at the expense of Parliament, though, by the canon law, it should be repaired by the priesthood) share it; let the poorer order of the peasantry share it. If the clergy will insist on taking the full tithes of his potatoes; if they take the staff out of his hands, they must carry the peasant on their shoulders.

Thus, the clergy, insisting on the *summum jus*, and the laity on the *summa justitia*, the former would not be richer by the change. I should, on such a change, condole with the church, and congratulate the poor; and I should applaud the discretion, as well as the moderation, of those excellent pastors, who did not rake up, from the ashes of superstition, this claim to the tenth, but were satisfied with competence and character, and brotherly love, and a right to live by

their ministry; a right, set forth in the Gospel, and which nature had set forth, even though the Gospel had been silent.

Impracticable! impracticable! impracticable, a zealous divine will say; any alteration is beyond the power and wisdom of Parliament; above the faculties of man to make adequate provision for 900 clergymen, who despise riches. Were it to raise a new tax for their provision, or for that of a body less holy, how easy the task! how various the means! but, when the proposal is to diminish a tax already established, an impossibility glares us in the face, of a measure so contrary to our practices both in church and state.

If you think the property of the church divine, and that when you affect it at all, you touch on holy things, then call the proposal profane, sacrilegious, blasphemous; but never call the proposal impracticable. How are the clergy paid in Holland? by fixed salary; how in Scotland? by fixed salary; never less than 1000 marks, nor more than 3000. Are the clergy in Scotland deficient? Has history no obligation to the clergy of that sagacious people? How are the civil, military, and revenue establishments paid in Ireland? by fixed salary. You have not found it difficult, but fatally facile to create such salaries. In these last twenty years, you have created not a few, and you have done this for laymen, to whom salary was the principal object; but for the church, where the provision, the temporal consideration, is but secondary; a moderate means for the support of the great duty of prayer; to suppose the regulation of that provision impracticable, annexes a most transcendant importance to what is gross and temporal, and a comparative insignificance to what is pure and spiritual, and throws a certain complexion of grossness, and inabstinence, on certain devout and most learned controversialists. If, indeed, you conceive what is given in commutation should be equal to the tenth of your produce, the impracticability is admitted. While I admire the enormity of the suggestion, I acknowledge the impracticability of the execution of it. I believe the legislature will never agree to give them the tenth either in commutation or tithe; both are impracticable; such a claim, and such a commutation! that 900 men should have the tenth of the property of 4,000,000, and you will find we are much more; the custom of the country, the modus of several places, your own vote of agistment, and above all, the interest of religion and of frugal piety, forbid it; give them the tenth, and you give away your religion; but if you mean a commutation for customary profits, not extravagant claims, I think I have shown you that commutation is not impracticable; I have shown you how their present livings can be discovered, and can be commuted. The value is not an

impenetrable mystery; there is hardly a parish in which you could avoid to find twelve respectable parishioners who would ascertain their ratages, and their income; nor is there a clergyman who could not tell you, nor a tithe-farmer, nor a tithe-proctor, nor a bishop, for he, in his traffic with the minister about translation, generally gives in a schedule of the value of the livings in his diocese. I think it unnecessary to add, that there are several acts, and one of the last session, requiring such a discovery, and the ratages in certain cases to be made on oath.

Men are apt to argue as if an error in that discovery might be fatal, as if the essence of religion was in the quantum of solid food, and as if £30 a year more, or £30 less, would be a difference decisive as to the propagation of the Gospel. The inaccuracy that may attend the various ways of information on this subject cannot be much, and, if it shall, in a small degree, lower the great livings, and raise the small, cannot be fatal.

I should not wish to give the ministers of the Gospel less than they have at present, except in some cases of hardship and extortion; but suppose some of them did receive less, would the church fall? The importance and the difficulty of accuracy on this question are both overrated.

This objection of impracticability, therefore, against a commutation is but a pretence, and against a modus is not even a pretence; or is it impracticable to inquire into the present ratages, and on that information to proceed? If so, if this step is impracticable, the abuses that grow out of tithes are incurable; and then you ought to reject the system of tithe as an incorrigible evil, and recur to another mode of paying your clergy. If a modus is impossible, a commutation is necessary.

We are too apt to conceive public cares impracticable; every thing bold and radical, in the shape of public redress, is termed impracticable.

I remember when a declaration of right was thought impracticable; when the independency of the Irish Parliament was thought impracticable; when the establishment of a free trade was thought impracticable; when the restoration of the judicature of our peers was thought impracticable; when an exclusion of the legislative power of the council was thought impracticable; when a limited mutiny-bill, with Irish articles of war in the body of it, and the declaration of right in its front, was thought impracticable; when the formation of a tenantry-bill, for securing to the tenantry of Ireland their leasehold interest, was thought impracticable; and yet those things have not

only come to pass, but form the base on which we stand. Never was there a country to which the argument of impracticability was less applicable than Ireland.

Ireland is a great capacity not yet brought into action; much has been civilized, much has been reclaimed, but something is to be redressed; the lower orders of the people claim your attention; the best husbandry is the husbandry of the human creature. What! can you reclaim the tops of your mountains, and cannot you improve your people? Every animal, except the tiger (as I have heard), may be tamed; the method is to feed, to feed after a long hunger; you have with your own peasantry began the process, and you had better complete the experiment.

Inadequate! inadequate! interposes the advocate for exaction, the rich will intercept the relief intended by Parliament.

This objection supposes the condition of the peasantry to be poor in the last degree; it supposes that condition to arise from various complicated causes; low price of labour, high price of land, number of absentees, and other causes; and it refers the poor to the hangman for regulation, and to Providence for relief; and it justifies this abandonment of one part of the community, by a crimination of the other: on a surmise that the upper orders of men in this country are complete extortioners, and would convert abatement of tithe into increase of rent, and thus intercept the justice of Parliament. Here I must absolutely and instantly deny the fact; the landlords are not as described; expensive frequently, I allow; but an hospitable, a humane, and affectionate people; the genius of the Irish nation is affection; the gentlemen are not extortioners by nature, nor (as the tithe-farmer is) by profession. In some cases they do set their land too high, in many not; and on that head they are daily becoming more reasonable.

Your magistracy-bill, your riot-act, your compensation-bill, what becomes of the authority of these laws with the lower orders, if you argue them into a conviction that the landlords of Ireland, that is, the landed interest, who passed these acts in their collective capacity, are, in their individual capacity, but so many extortioners? Look to the fact, to their leases for thirty-one years, or three lives; look to their lands. See the difference between the lands of laymen, who have an interest in the inheritance, and of churchmen, who have only the *esprit de corps*, that is, a false and barren pride, in the succession! Look to the landlords' conduct—they passed a tenantry-bill; the bishops rejected a lease-bill, and have almost uniformly resisted every bill that tended to the improvement of the country, if, by the remotest possibility, their body could be in the smallest degree prejudiced

in the most insignificant of its least warrantable pretensions; but if still you doubt, call forth the tenantry, and put the question to them; do not take your opinion from the oppressor; ask the oppressed, and they will tell you, what we know already, that the great oppression is tithe; the middle-man's over-reaching, as in many instances I acknowledge he is, compared to the tithe-farmer's, is mercy. Suppose him as destitute of compunction, he is not armed with the same powers of torture, though he had the same genius for oppression; he has not his own tribunals, nor can he put the countryman to expense of attending on vicars' courts, nor of watching his crop, nor of delaying his harvest home, nor of notices, nor summonses, nor of drinking at his alehouse, while the value of the tithe is computed, nor of all that train of circumstances and charge with which the uncertain dues of the church are now collected, at the expense of the morals of the people.

But if the charge was founded in fact, it is not an argument, and has nothing to say to the question, where similar exertions of oppression, if morally probable, are rendered legally impossible. The landlord cannot, in consequence of exemption from tithe, raise his rent on his lessees, during the continuance of the term. Now, do you imagine that it is the cottager only, and not the lessee also, that complain of tithe; they are both aggrieved; the tenantry of Ireland are aggrieved; the lessee, therefore, must be relieved by the plan, and the cottager cannot be equally oppressed, because he agrees for his rent before he sows his crop, but pays his tithe afterwards; the latter of course must be, and the former cannot be, a charge for his extraordinary labour. Rent is a charge on land, tithe on labour; the one definite, the other indefinite; they are not convertible; increase your rent under any pretence, still it must avoid the essential evil of tithe; the evil of being arbitrary; a tax rising with industry. Suppose the severest case, one pound an acre advanced rent for potato ground, the cottager, by extraordinary labour, works himself comparatively out of his rent, and into a greater tithe; thus extortion by rent, is but a cruel compulsion on extraordinary labour, but tithe a penalty.

There are certain arguments, which leading to something absurd and nonsensical, are stricken out of the tribe of logic; those arguments should meet the same fate which lead to something that is worse than either nonsense or absurdity, to cruelty and to oppression. Of this tribe is the reasoning I now combat, an argument which would leave the landlords without character, to leave the common people without redress. I condemn the premises, but I abhor the conclusion. What! should the clergy oppress the poor because the landlords (as is alleged) do so already? because the latter (as is alleged) over-value

land, shall the church overcharge labour? because the peasant pays (as is alleged) sometimes five or six pounds per acre for his land, shall he pay twelve or twenty shillings to the parson for his potatoes? The premises of this argument impeach the character of the higher order, and the conclusion would steel one order against the other, and the result of such reasoning would leave you (what it affects to find you) wicked and miserable; and common sense and Christian charity lift up their hands against such an opprobrious premise, and such a pernicious conclusion.

If such were the state of our country, the church should interpose and give a good example, and not follow a bad one; they should say, we will take the lead; we will ourselves moderate the exactions which oppress the poor; if the rich take the advantage, and frustrate our pious intention, we are not in fault; the character of religion is free; her ministers do not participate in the plunder of the people. The vote of agistment left the measure I propose practicable, and made it necessary; by that vote you sent the parson from the demesne of the gentleman into the garden of the cottager; by that vote you said you shall not tax us; it remains for you to say, you shall not tithe the poor unconscionably; but going as far as that vote and no farther, you declare to the proprietors of tithe, "Tithe the poor as you please, provided we do not pay you;" and this is what some mean by their zeal in the support of the church; this is the more exceptionable, when you recollect, that of the poor who pay your clergy, there are numbers of a different religion, who of course receive no consideration from your clergy, and must pay another clergy. The Protestant interest may require that these should contribute to the Protestant establishment; but, the proportion and the manner in which you now make them contribute, redounds but little to Protestant honour, either in church or state.

Ay; but will you encourage tumult? Will you reward the White-Boy? Will you give a premium to disturbance? Sir, do not advert so lightly to the state of this country, nor pass so superciliously over general distress, as to think that the Right-Boy or White-Boy (or by whatever other vagrant denomination tumult delights to describe itself) are the only persons who suffer by the present state of tithes; there are two other descriptions who are oppressed by them; those who did nothing in the late disturbance, and those who took part to quell them. Can you suppose so many would have been neutral in the suppression, if they had not been a party to the oppression? And have you complained of the languor of your magistracy, and the supineness of the Protestant country gentleman, without adverting to the reason? The

tumult was confined, but the suffering was extensive. But there is another body of men who suffer; they who took part to suppress. Have they any pretensions? Do you deny that they are sufferers? they will come to the bar and prove it; they will prove two things very material, very worthy your attention; their merit and their suffering.

Yes; but will you innovate? Admit this argument, and we sit here to consecrate abuses. The statutes of mortmain were innovations; the suppression of monasteries innovation; the reformation innovation; for, what is the Protestant religion, but the interposition of Parliament, rescuing Christianity from abuses introduced by its own priesthood?

Institutions, divine and human, corrupt by their nature or by ours; the best human institution, the British constitution, did so corrupt, that, at different periods, it was anarchy, oligarchy, despotism; and was restored by Parliament.

The only divine institution we know of, the Christian religion, did so corrupt, as to have become an abomination, and was rescued by act of Parliament.

Life, like establishments, declines; disease is the lot of nature; we oppose its progress by strong remedies; we drink a fresh life at some medicinal fountain, or we find a specific in some salubrious herb: will you call these restoratives innovation on the physical economy? Why then, in the political economy, those statutes which purge the public weal, and from time to time guard that infirm animal, man, against the evils to which civil society is exposed—the encroachments of the priest and the politician?

It is then on a false surmise of our nature, this objection; we live by a succession of amendment; such is the history of man, such, above all, is the history of religion, where amendment was even opposed; and those cant expressions, the supporting church and state, were ever advanced to continue the abuses of both. On those occasions, prejudices, from the ragged battlement of superstition, ever screened innovation. When our Elizabeth established the Protestant religion, she was called an innovatress; when Luther began the Reformation, he was called an innovator; nay, when Herod and the high priest Caiphas (and high priests of all religions are the same) heard that one had gone forth into the multitude preaching, gathering the poor like the hen under her wing; saying to the rich, give unto the poor, and look for treasures in Heaven, and take heed that your hearts be not overcharged with luxury, surfeit, and the eases of this life; I say, when Herod and the high priest saw the Author of the Christian religion thus giving comfort, and countenance, and hope to the poor, they were

astonished, they felt in his rebuke of their own pomp and pride, and gluttony and beastliness, great innovation: they felt in the sublimity of his moral, great innovation; they saw in the extent of his public care, great innovation; and, accordingly, they conspired against their Saviour as an innovator; and, under the pretence of supporting what they called the church and state, they stigmatized the redemption of man, and they crucified the Son of God!

If we were desirous to retort on the church the argument of innovation, its own history is fertile: what is the idea of property in the church, but an innovation? their conversion of property from the great body of the Christians to their own use? innovation; their temporal power? innovation; their application for donations, equal to a tenth? innovation; their conversion of those donations to their own use? innovation; their excluding the fabric of the church, as well as the poor, from the benefit of those donations? innovation; their various tithe-bills? innovation; their riot-act? innovation; their compensation-act? innovation.

To judge of the objection of innovation against my plan, see what that plan does not do.

It does not affect the doctrine of our religion; it does not alter the church establishment; it does not affect the constitution of episcopacy. The modus does not even alter the mode of their provision, it only limits the quantum; and limits it on principles much less severe than that charity which they preach, or that abstinence which they inculcate. Is this innovation? as if the Protestant religion was to be propagated in Ireland, like the influence of a minister, by bribery; or like the influence of a county candidate, by money; or like the cause of a potwalloping canvasser, by the weight of the purse; as if Christ could not prevail over the earth, unless Mammon took him by the hand. Am I to understand, that if you give the parson 12*s.* in the acre for potatoes, and 10*s.* for wheat, the Protestant religion is safe on its rock; but if you reduce him to 6*s.* the acre, for potatoes and wheat, then Jupiter shakes the Heavens with his thunder, Neptune rakes up the deep with his trident, and Pluto leaps from his throne? See the curate: he rises at six to morning prayers; he leaves company at six for evening prayer; he baptizes, he marries, he churches, he buries, he follows with pious offices his fellow-creature from the cradle to the grave; for what immense income! what riches to reward these inestimable services? (Do not depend on the penury of the laity, let his own order value his deserts;) £50 a year! £50! for praying, for christening, for marrying, for churching, for burying, for following with Christian offices his fellow-creature from cradle to grave; so

frugal a thing is devotion, so cheap religion, so easy the terms on which man may worship his Maker, and so small the income, in the opinion of ecclesiastics, sufficient for the duties of a clergyman, as far as he is connected at all with the Christian religion.

I think the curate has by far too little; bloated with the full tenth, I think the church would have abundantly too much.

The provision of the church is not absolute property, like an estate, but payment for a duty: it is salary for prayer, not the gift of God independent of the duty. He did not send his Son to suffer on earth, to establish a rich priesthood, but to save mankind; it is the donation of the laity, for the duty of prayer. The labourer deserves hire for doing his duty; he is paid not as a high-priest, but a pastor in his evangelic, not his corporate capacity; when he desires to live by his ministry, he demands his right; when he desires the tenth of your wealth, he demands your right; and he presumes riches to be the right of the church, instead of supposing, what he ought, the Gospel to be the right of the people, and competency for preaching the Gospel, not luxury, to be the right, as it is the profession, of the church. A provision for the minister of the Gospel on its own principles, keeping clear of the two extremes; poverty on one side, and riches on the other; both are avocations from prayer; poverty, which is a struggle how to live, and riches, which are an occupation how to spend. But of the two extremes I should dread riches; and above all, such indefinite riches as the tenth of the industry, capital, and land of 3,000,000 would heap in the kitchens of 900 clergymen; an impossible proportion; but, if possible, an avocation of a very worldly kind, introducing gratifications of a very temporal nature; passions different from the precepts of the Gospel. Ambition, pride, and vain-glory, add to this acquisition of the tenth; the litigation which must attend it, and the double avocation of luxury and law; conceive a war of citations, contempts, summonses, civil bills, proctors, attornies, and all the voluminous train of discord, carried on at the suit of the man of peace; by the plaintiff in the pulpit, against the defendants, his congregation. It is a strong argument against the tenth, that such claim is not only inconsistent with the nature of things, but absolutely incompatible with the exercise of the Christian religion. Had the apostles advanced among the Jews pretensions to the tenth of the produce of Judea, they would not have converted a less perverse generation; but they were humble and inspired men; they went forth in humble guise, with naked foot, and brought to every man's door, in his own tongue, the true belief; their word prevailed against the potentates of the earth; and on the ruin of Barbaric pride, and

pontific luxury, they placed the naked majesty of the Christian religion.

This light was soon put down by its own ministers, and, on its extinction, a beastly and pompous priesthood ascended. Political potentates, not Christian pastors, full of false zeal, full of worldly pride, and full of gluttony, empty of the true religion. To their flock oppressive, to their inferior clergy brutal, to their king abject, and to their God impudent and familiar; they stood on the altar, as a stepping-stool to the throne, glozing in the ear of princes, whom they poisoned with crooked principles and heated advice, and were a faction against their king when they were not his slaves; the dirt under his feet, or the poinard in his heart.

Their power went down; it burst of its own plethory, when a poor reformer, with the Gospel in his hand, and with the inspired spirit of poverty, restored the Christian religion. The same principle which introduced Christianity, guided reformation. What Luther did for us, philosophy has done, in some degree, for the Roman Catholics, and that religion has undergone a silent reformation; and both divisions of Christianity, unless they have lost their understanding, must have lost their animosity, though they have retained their distinctions. The priesthood of Europe is not now what it was once; their religion has increased as their power has diminished. In these countries particularly, for the most part they are a mild order of men, with less dominion and more piety, therefore, their character may be, for the most part, described in a few words—morality, enlightened by letters, and exalted by religion. Such, many of our parochial clergy, with some exceptions however, particularly in some of the disturbed parts of the kingdom; such some of the heads of the church; such the very head of the church in Ireland. That comely personage, who presides over a vast income, and thinks he has great revenues, but is mistaken; being, in fact, nothing more than the steward of the poor, and a mere instrument in the hand of Providence, making the best possible distribution of the fruits of the earth.

"Of all institutions," says Paley, "adverse to cultivation, none so noxious as tithe; not only a tax on industry, but the industry that feeds mankind."

It is true, the mode of providing for the church is exceptionable, and in some parts of Ireland has been, I apprehend, attended with very considerable abuses; these are what I wish to submit to you. You will inquire whether, in some cases, the demands for tithes have not been illegal, the collection of them oppressive, the excess of demand uncharitable, and the growth of it considerable and oppressive.

Whether, in all cases, the tithe-farmer has been a merciful pastor, the tithe-proctor an upright agent, and even the vicar himself a most unbiassed judge.

In this inquiry, or, in forming some regulations for this inquiry, you will not be withheld by the arguments of pride, bigotry, and prejudice; that argument which, reflecting on God, maintains the sacred rights of exaction; that other argument which, reflecting on Parliament, denies your capacity to give redress; that other argument which, reflecting on human nature, supposes that you inflame mankind by redressing their grievances; that other argument which traduces the landed interest of Ireland as an extortioner, and belies one part of the community to continue the miseries of the other; an argument of calumny, an argument of cruelty. Least of all, should you be withheld by that idle intimation stuffed into the speech from the throne, suggesting that the church is in danger, and holding out, from that awful seat of authority, false lights to the nation, as if we had doated back to the nonsense of Sacheveral's days, and were to be ridden once more by the fools and bigots. Parliament is not a bigot; you are no secretary, no polemic; it is your duty to unite all men, to manifest brotherly love and confidence to all men. The parental sentiment is the true principle of government. Men are ever finally disposed to be governed by the instrument of their happiness; the mystery of government, would you learn it? Look on the Gospel, and make the source of your redemption the rule of authority; and, like the hen in the Scriptures, expand your wings, and cover all your people.

Let bigotry and schism, the zealot's fire, the high-priest's intolerance, through all their discordancy, tremble, while an enlightened Parliament, with arms of general protection, overarches the whole community, and roots the Protestant ascendancy in the sovereign mercy of its nature. Laws of coercion, perhaps necessary, certainly severe, you have put forth already, but your great engine of power you have hitherto kept back; that engine, which the pride of the bigot, nor the spite of the zealot, nor the ambition of the high-priest, nor the arsenal of the conqueror, nor the inquisition, with its jaded rack and pale criminal, never thought of; the engine which, armed with physical and moral blessing, comes forth and overlays mankind by services—the engine of redress; this is government, and this the only description of government worth your ambition. Were I to raise you to a great act, I should not recur to the history of other nations; I would recite your own acts, and set you in emulation with yourselves. Do you remember that night when you gave your country a

free trade, and with your own hands opened all her harbours? That night when you gave her a free constitution, and broke the chains of a century, while England, eclipsed at your glory and your island, rose as it were from its bed, and got nearer to the sun? In the arts that polish life, the inventions that accommodate, the manufactures that adorn it, you will be for many years inferior to some other parts of Europe; but, to nurse a growing people, to mature a struggling, though hardy community, to mould, to multiply, to consolidate, to inspire, and to exalt a young nation, be these your barbarous accomplishments!

I speak this to you, from a long knowledge of your character, and the various resources of your soil; and I confide my motion to those principles not only of justice, but of fire, which I have observed to exist in your composition, and occasionally to break out in a flame of public zeal, leaving the ministers of the crown in eclipsed degradation. Therefore, I have not come to you furnished merely with a cold mechanical plan, but have submitted to your consideration the living grievances, conceiving that any thing in the shape of oppression made once apparent—oppression, too, of a people you have set free—the evil will catch those warm susceptible properties which abound in your mind, and qualify you for legislation.

14*th April*, 1788.

The next resolution relates to the sustenance of the poor, as the two others relate immediately to their industry; it is proposed to put the poor of the south on the same footing with the poor of the north, east, and west, by exempting his potato-garden from tithe. When we state that potatoes are the food of the poor, we understate their importance; they are more; they are the protection of the rich against a poor-rate, and therefore invaluable to you, as well as to the peasant.

"Resolved, That potatoes are the principal subsistence of the poor in Ireland, and are, in a great part of the kingdom, most fortunately exempt from tithe.

"Resolved, That it would much contribute to relieve the poor of the south of this kingdom, if the benefit of said exemption was extended to them; and if it shall be made to appear that the owners of tithe shall suffer thereby, this House will make them just compensation."

In three-fourths of this kingdom, potatoes pay no tithe; in the south, they not only pay, but pay most heavily. They pay frequently in proportion to the poverty and helplessness of the countryman; for in the south it is the practice to crouch to the rich, and to encroach

upon the poor; hence, perhaps, in the south, the mutability of the common people. What so galling, what so inflammatory, as the comparative view of the condition of His Majesty's subjects in one part of the kingdom and the other! In one part their sustenance is free, and in the other tithed in the greatest degree; so that a grazier coming from the west to the south shall inform the latter, that with him neither potatoes nor hay are tithed; and a weaver coming from the north shall inform the south, that in his country neither potatoes nor flax are tithed; and thus are men, in the present unequal and unjust state of things, taught to repine, not only by their intercourse with the pastor, but with one another.

To redress this requires no speculation; no extraordinary exercise of the human faculties; no long fatiguing process of reason and calculation, but merely to extend to the poor of the south the benefits which are enjoyed by His Majesty's subjects in the other parts of Ireland; it is to put the people of the south on a level with their fellow-creatures. If it shall be said, that such an exemption would cause a great loss to the parson; what a terrible discovery does that objection disclose! that the clergy of the south are principally supported by the poor, by those whom they ought, as moral men, to relieve, and Christian men support, according to the strictest discipline of the church.

To excite a certain quarter to this principle, perhaps the best method would be the stimulation of example. I shall accordingly produce two examples; one example drawn from the country supposed to be the most bigotted in Europe, and the other from that man supposed to be the most prone to clerical avarice and ambition. The first, the kingdom of Spain, the latter is the Pope. In 1780, Pope Pius VI. sends a brief to the King of Spain, enabling him to dispose of one-third of ecclesiastical estates and benefices in his presentation, to which no cure of souls was annexed, in charity; and further sets forth in his brief this reason, that the relief and succour of the poor was particularly incumbent on him. The King of Spain, in 1783, pursuant to this brief, publishes his edict, reciting the brief, and appointing a commission to dispose of the third, as above recited, in the support of the poor, and then he specifies the objects; endowments of all kinds of retreats and receptacles for the poor, such as hospitals and houses of charity, foundations for orphans and foundlings. The better to enforce the execution of the first edict, the King of Spain publishes another, commanding, in a peremptory manner, the execution of the first; and he adds, a principle inseparable from the claims of tithes, that such charitable aids peculiarly belong to ecclesiastical rents, according to the most sound and constant discipline of the church.

Here are the Sovereign Pontiff of the Catholic faith, and the Catholic King of Spain, distributing one-third of a part of the revenues of their church for the poor; and here are some of the enlightened doctors of our church deprecating such a principle, and guarding their riches against the encroaching of Christian charity. I hope they will never again afford such an opportunity of comparing them with the Pope, or contrasting them with the apostles. I do not think their riches will be diminished; but if they were to be so, is not the question directly put to them, which will they prefer? their flock or their riches? for which did Christ die, or the apostles suffer martyrdom, or Paul preach, or Luther protest? Was it for the tithe of flax, or the tithe of barren land, or the tithe of potatoes, or the tithe-proctor, or the tithe-farmer, or the tithe-pig? Your riches are secure; but if they were impaired by your acts of benevolence, does our religion depend on your riches? On such a principle your Saviour should have accepted of the kingdoms of the earth, and their glory, and have capitulated with the devil for the propagation of the faith. Never was a great principle rendered prevalent by power or riches; low and artificial means are resorted to for the fulfilling the little views of men, their love of power, their avarice, or ambition; but to apply to the great design of God such wretched auxiliaries, is to forget his divinity, and to deny his omnipotence. What! does the word come more powerfully from a dignitary in purple and fine linen, than it came from the poor apostle with nothing but the spirit of the Lord on his lips, and the glory of God standing on his right hand? What! my Lords, not cultivate barren land; not encourage the manufactures of your country; not relieve the poor of your flock, if the church is to be at any expense thereby! Where shall we find this principle? not in the Bible. I have adverted to the sacred writings, without criticism, I allow, but not without devotion; there is not in any part of them such a sentiment; not in the purity of Christ, nor the poverty of the apostles, nor the prophecy of Isaiah, nor the patience of Job, nor the harp of David, nor the wisdom of Solomon! No, my Lords; on this subject your Bible is against you; the precepts and practice of the primitive church against you; the great words *increase and multiply*, the axiom of philosophy, that nature does nothing in vain; the productive principle that formed the system, and defends it against the ambition and encroachments of its own elements; the reproductive principle which continues the system, and which makes vegetation support life, and life administer back again to vegetation; taking from the grave its sterile quality, and making death itself propagate to life and succession; the plenitude of things, and the majesty of nature,

through all her organs, manifest against such a sentiment; this blind fatality of error, which, under pretence of defending the wealth of the priesthood, checks the growth of mankind, arrests his industry, and makes the sterility of the planet a part of its religion.

As I have proposed three measures for the benefit of the people, I shall now submit a fourth for the benefit of the church. It is a resolution which is as follows:

"Resolved, That this House will be ready to relieve the owners of tithes from the necessity of drawing the same; and to give said owners a power of recovering the value of the same, in all cases, by civil bill, or otherwise, provided said owners of tithe shall conform to certain ratages to be ascertained by act of Parliament."

The resolution will be best explained by a bill, which I have drawn, and which I mean to propose hereafter; the brief of which I will now state to you. The bill enacts, that every owner of tithe shall be relieved from the difficulty of drawing the same, by civil bill, for any sum whatsoever, provided said owner of tithe shall conform to certain ratages in the bill set forth; these ratages will be such as Parliament shall think proper, different, perhaps, according to the different provinces, and the result of the inquiry of provinces, and the result of the inquiry of provincial committees.

I have set forth, in the bill for Munster, such a ratage as was nearly stated by learned authority, as the average ratage of the richest diocese therein; the principal articles of which are, potatoes, the Irish acre, 6*s*., wheat 6*s*., barley 5*s*., meadow 3*s*., oats 3*s*.

The bill enacts, that, in the neighbourhood of a city, the tithe of meadow shall be increased; it further enacts, that the owner of tithe shall have a power, on due notice, to enter in order to survey; it enacts, that the above ratages shall be estimated as worth so many stone of bread corn, which is every seven years to be valued by the clerk of the market, who strikes the averages for the kingdom; that septennial valuation of the corn to be the septennial ratages for the owner of tithe.

The bill enacts, that all small dues shall cease, and that instead thereof, in parishes where small dues shall have been paid for these last ten years, a valuation shall be made of such, by a person appointed in vestry; said valuation to be levied, not off the poor, nor the particular individual, but generally after the manner of baronial charges; my idea and fixed attention being to relieve the poor of the south from the tithe of potatoes, and the north from small dues; an endeavour which, however opposed, will, by perseverance, succeed; it is rational, it is just. The bill contains a proviso, which saves and

confirms all kinds of moduses or exemption; so that what has not hitherto paid, shall not pay now; thus potatoes and other articles, where they have not usually paid, shall not become titheable.

The next resolution is, to compel residence. It is strange that such a resolution should ever have become necessary.

"Resolved, That, the better to secure the residence of the clergy, a moderate tax on non-residence would be expedient."

In the long contest of the clergy on the subject of tithe, I do not find that residence has been much insisted on, as useful to the Protestant interest, though tithe has been thought indispensable. Provided tithe shall be paid, it seems what is done for the tithe, the preaching and the praying, is not material, in the opinion of the grave and reverend personages; the army do not act by proxy; the commissioners, the judges, do not act by deputation. I have never heard of virtual redemption, salvation by remote and magnetical operation. Residence is required by canon, common and statute law; by the canon law, a parson, who left his living without leave, was deprived. By the common law it appears that residence was necessary; for when an action was brought against the rector of B., he pleaded that he was commorant in D. The plea was overruled, because he had not denied himself to be the rector of B., and his parish determined his locality necessary by several statutes. The act of Henry VIII., after forty days' non-residence, imposes a fine. The act of Edward VI., after eighty days' absence, disables the parson from recovering on his own leases. The act of Henry VI. subjects the parson who leaves the country to the forfeiture of his annual income. But though the law were silent, decency on this occasion is loud.

What a cast and complexion are thrown on this question, and those who so strenuously insist on the law for tithes, and so commonly transgress the body of law, that requires them to attend the duties of religion! In England, residence is better observed and enforced. The practice of England has shown a greater regard both for husbandry and prayer; and yet in England residence is not more necessary, because our lower people want more instruction, and our country can less afford any addition to the absentee drain, to which an absentee tithe, and absentee Gospel, are sad aggravations. Talk not of a want of glebe-houses, or even of churches. Has the Presbyter a glebe-house? Has the priest a glebe-house? Does the latter preach the errors of the Church of Rome from a straw-built hovel? and do our clergy, to preach the truth of the Protestant religion, require a mansion? Had the first-fruits been, by the richer parts of their own order, and particularly the bishops, faithfully and justly valued, and applied

to the building of churches and the increase of poor livings, the advocates for non-residence would want their voluptuous apology. But it has happened that the first-fruits, by a remote and antiquated valuation, are rendered of no account; they do not, by that valuation, which was made in the reign of Henry VIII. produce more than £430; at this day the bishoprics alone amount to near £70,000 a-year, the first-fruit of which, without going farther, would be a great fund for building of churches and glebe-houses, and increasing poor livings. You see that, in fact, first-fruits are now a most miserable modus; and it is very remarkable, that the very men who object to any modus, however rational, in favour of the manufacturer, have themselves set up a modus against the church; a modus, the most irrational and illiberal, against the poor of their own order, and the house of their own God! "We cannot reside, because we have neither house nor church;" that is, the richer part of your order have taken to themselves the funds of the church, and now you have no place to pray in!

But though I would compel residence, I would compel it by a moderate process; a moderate tax, to commence after absence for a certain time. I would not leave the dispensing with residence to the bishop, because I would not put into his hands the talents and suffrages of the parochial clergy; I would not enable him to say, "Sir, you have written too freely on constitutional subjects, you must reside;" or, "Sir, you have voted for the popular candidate, and must reside." I would not make residence an instrument of undue influence, nor would I wish to make the parochial clergy mean and subservient to their bishop. I would compel residence by a tax, and that should be moderate, with certain allowances; my principle with respect to the residence of the minister being this,—his parish ought to be his home, but not to be his prison.

I have submitted the resolutions; I mean to put the House in possession of them. All I desire is, that they may have a fair examination. Of government, all I ask is impartiality; all I deprecate is predetermination. I do not desire that they should assent to either my facts or principles, but I desire a fair trial for both. I desire, moreover, that in holding their deliberation, they may not take into their cabinet the enemy. If these principles are false, they will die of themselves, without the interposition of government; if right, they will at last prevail, and then government would be obliged to retract a resistance precipitately made. As to the southern peasantry, all I ask on their part is peace. If the White-Boys break out again, I give up this business. I will be the first to support strong measures of coercion. The gentlemen of the south should inform them, that if they had

originally represented the oppressions they suffer under tithe, by humble petition to Parliament, they must have been redressed; the parson and the tithe-farmer would not have chosen to have defended, or to continue demands publicly stigmatised for extortion and avarice. In a free country, the mere promulgation of injury is the certainty of redress; but those desperate wretches had not the courage to apply to the legislature, and had the despair to apply to outrage; the consequence was, as always must be, they consigned their bodies to the hangman, and left to their families a continuation of the grievances; and involved in their disgrace a great part of the peasantry, who were equally oppressed, and entirely innocent. The truth is, the tithe-farmer had no case but the White-Boy; they both stood on the crimes of the other, and murder was a greater offence than extortion.

With respect to a right reverend bench, I mean a part of that bench, all I ask is temper. I stated several allegations; I am ready to prove them. I stated, that in some parts of the south the demands of tithe had exceeded the bounds of law; I repeat the allegation. I stated that the proctor had, in many places, demanded and received a certain per centage, called proctorage, against law and charity; I repeat that allegation. I stated, that in parts of the south, certain ministers or their proctors had been guilty of exactions which were unconscionable, and I stated also that they had recently, and greatly and unconscionably increased their ratages; I repeat that allegation. I stated that the tithe-farmers did very generally, in the parts disturbed, oppress the common people, and had exceeded their legal powers, or had most grossly abused them: these allegations I repeat now; and am ready to go into proofs, whenever gentlemen choose to give me such an opportunity.

I am not responsible for the precise quantity of every return stated to me. Some of the statements are official, and cannot be disputed, and are enormous; others come from the oppressed, and may be sanguine. I am not responsible for the precise quantities in such a case; but I am responsible for this allegation, that there exists great oppression; I repeat it again, there exists great oppression.

As to the resolutions which I now submit, and which, next session, I shall move, the right reverend quarter will consider, that some of those propositions are in their principles already the law of England. With what justice can they attempt to deprive Ireland of the benefit of such laws? Ireland, a country requiring so much more encouragement, and paying abundantly more to the church. A celebrated bishop in England has calculated, that the income of the church in England, including all bishoprics, and even the estates of the univer-

sities, would, if distributed, amount to £150 for each clergyman. A learned bishop in Ireland has calculated, that, excluding bishoprics and universities, the income of the church in Ireland would amount to £148 for each clergyman. Thus, by this calculation, excluding their great riches, I mean the bishoprics, the ministers of the Protestant church of Ireland have within £2 as much as in England; and, including bishoprics, must have, beyond all comparison, more than in England, where the extent of the cures is incomparably less, even supposing our clergy were all to reside, and while this kingdom has two other orders of priesthood to support. Such of our bishops who came from another country, and have intercepted the views of some of the younger branches of our best families here, will naturally wish to make some compensation. The laws of the country to which they owe their birth, they, I suppose, will not object to communicate to this country, to which they owe their situation.

Some of the resolutions are not only founded on principles of husbandry, but maxims of Christianity. These, I hope, will not meet with inveterate opposition from any of the right reverend bench; those of them the most adverse and inveterate will soften, when they consider the Christianity of clothing the naked, and feeding the hungry; or rather, indeed, of suffering the naked and the hungry to feed and clothe themselves, by encouraging their manufacture; giving certain privileges to their infant labours, and by leaving in their principal food the poor, unoppressed by avarice and exaction under any pretence whatsoever. However, if this shall not be the case; if these sound doctrines and these charitable principles are received by some of a certain quarter with hardness of heart, and their author with clerical scurrility, I cannot help it. I shall persist, notwithstanding, in making my solemn appeal against such men to their own Gospel; which, as it is the foundation of their power, so must it be the limits of our veneration.

CORRUPTION BY GOVERNMENT.

1*st February*, 1790.

Mr. GRATTAN said: We combat a project to govern this country by corruption; it is not like the supremacy of the British Parliament—a thunderbolt; nor like the twenty propositions, a mine of artifice; but without the force of the one, or the fraud of the other, will answer all the purposes of both.

I have read books on the subject of government; I have read books on the subject of British government; I have heard of the different principles or foundations of authority; the patriarchal right, the martial right, the conventual rights of kings, the sacred rights of the people. I have heard of different principles, applicable to different forms of government—virtue to a republic, honour to a monarchy; but the principles of our ministry, or rather, indeed, their policy, which is a dissolution of all principles, can only be read in the ruin of the nation! You have too lately recovered your liberties, not to know wherein exists their virtue; it is not merely in the laws; these the lawyers may pervert to the jargon of slavery; these the lawyers may explain away; they did so in England; they did so in the case of arbitrary arrests of members of Parliament; in the case of ship-money; they did so in Ireland; they did so in the case of embargoes, without authority from Parliament; in the case of the British supremacy, and in the case of the regency; for great lawyers, on constitutional questions, have given not legal, but political opinions, in favour of their great and mighty client, the Crown. But if you attend to them, you may sit in that chair, the mace before you, the clerks at your feet, the members all round, and the serjeant of arms at your back, and yet not be a Parliament; for you will want the spirit and energy of a Parliament. No; it is the vital spirit that inspires, the independency that actuates; this principle of independency, which is implied in your constitution, is registered in your laws, passed in England in the time of William; they were conceived to guard the rights of the electors against the influence of the revenue, and the purity of the elected against the inundation of the treasury; they were conceived to preserve the popular balance of the constitution, and to form a sort of fence or barrier against those rank majorities, which not seldom swarm from the hive of the treasury, and blacken the seats of the senate; and yet these were feeble laws. Lord Bolingbroke complains of them; he expostulates with the framers of the Revolution; they had, says he, guarded liberty against open force; they had secured her against the assaults of prerogative, but not against a secret enemy, against clandestine influence; here she was left naked; this was her vulnerable part. Parliamentary integrity is your palladium; with it "You need not fear the force of any enemy; no Agamemnon, no Ulysses can invade you; without it, Thersites himself will be sufficient for the purpose." Had he seen our policy, what had he said—a minister like the last, forming his faction, and prolonging his government by the mere arts of bribery and corruption, or rather, indeed, by bribery and corruption, without any art whatsoever; then had his

lordship exclaimed, "Thersites himself is sufficient for the purpose!"

Mr. Locke, who established and rooted the Revolution in the minds of the English, maintains, that an attempt on the part of the executive power to corrupt the legislature, is a breach of trust, which, if carried into system, is one of the causes of a dissolution of the government. "The executive," says he, "acts contrary to its trusts, when it uses the force, the treasure, or the offices of the society to corrupt the representatives, and to gain them over to its purpose. To prepare such an assembly, and to endeavour to set them up as the real representatives of the people, and the law-makers of the society, is surely as great a breach of trust, and as perfect a declaration of a design to subvert the government, as can possibly be;" to which, if we add rewards and punishments, visibly employed to the same end, what had Mr. Locke thought of your policy? A set of men possessing themselves of civil, military, and ecclesiastical authority, and using it with a fixed and malignant intention to corrupt the morals of the people, in order to undermine the freedom of the community, and to make the nation individually base, in order to make her collectively contemptible. How soon must such proceedings accomplish the prediction of Montesquieu, who says, that when the legislative is as corrupt as the executive (as corrupt, for more is scarcely possible), then there is an end of the constitution.

Blackstone having summed up the array of court influence, stops to tremble at it. "Surely this never could have been the design of our patriot ancestors, who abolished the formidable parts of the prerogative, and by an unaccountable way of foresight, established this system in their place!" He concludes with a pious wish, that this influence may be diminished, and with a parental admonition to the youths of England, to guard their country against that monster, which, in the hands of the present government, shakes this realm; the servile and corrupt influence of the minister. The late Lord Chatham, bending over the corrupt decline of England, confesses this influence. Give her a more popular representation; pour in a new portion of health, to enable her to sustain her infirmities; pour in a new portion of poison, says the Irish minister, that she may sink under the accumulation of her infirmities. This danger of extravagant influence, the Commons of England have confessed. Exasperated by defeat, exhausted by war, the effect of twelve years implicit compliance under that very influence, they at last proclaim, "It is true, the influence of the crown is too much; it ought to be diminished." Here I shall be stopped, and told that the fact has falsified the prophecy, and that the constitution of England has stood; but let us not therefore infer, that it is not much

impaired, nor confound the slow decline of a state with the rapid mortality of a man, nor forget what moral symptoms she has given, both when the people, as in 1769, appealed to the Crown against their Parliament, and when the Crown, as in 1783, appealed against Parliament to the people. Let them further recollect, that the constitution of Great Britain has been, from time to time, shocked back to her original principle, by a number of acts, some of which I have referred to; acts which disable the crown from splitting commissions to multiply placemen; acts which disqualify all persons holding offices created since a certain period from sitting in Parliament; acts which disable all commissioners of customs, of excise, stamps, collectors; in short, the whole tribe of the revenue from sitting in Parliament; acts which disqualify all pensioners during pleasure, from sitting in Parliament; all pensioners during years, from sitting in Parliament; acts which disable the Crown from exceeding a certain sum in grants of pensions; acts which disqualify from voting at elections the whole tribe of the revenue. Let them further recollect, that there are in England certain counteracting causes; and first, the majesty of the people, a great, authoritative, and imperious public; their voice interferes; their instructions overawe, not the deliberations of the body, but frequently the deliberations of that individual of the body that hesitates between his vote and his venality. Let them recollect that there is in England such a thing as responsibility; the public malefactor there cannot always retire from public mischief to triumphant impunity. Let them recollect further, that in England there is a check in great connexions, formed on a great public creed; party founded on principle, supported by ambition, cemented by honour, and exalting the component parts above the dominion of salary, and the impulse of famine, political famine, of too many in this country the epidemic disease. This has served as a secondary cause of public safety; and whether you call it a higher order of infirmity, or a lower order of virtue, has helped to preserve the life, or to prolong the *euthanasia* of the British constitution; how far all these causes actually at this time flourish in England, I shall not pretend to decide; but I fear they do not exist, or are in danger of being lost in Ireland: first contemplate your state, and then consider your danger. Above two-thirds of the returns to this House are private property; of those returns, many actually this moment, sold to the minister; the number of placemen and pensioners sitting in this House equal near one-half of the whole efficient body; the increase of that number within these last twenty years greater than all the counties in Ireland. The bills that do exist in England, and should have shocked you back to your original principles, and are ne

cessary to purge the public weal, and to defend you not only against the minister, but yourselves,—a pension bill, a place bill, and others, are systematically resisted. The corruptions these laws would guard against, in a most extraordinary manner resorted to by the present ministers of the crown, and not only resorted to, but made the sole instrument of their government. The laws which depart from the first principles of the constitution, excise, riot act, police bill, readily adopted, and obstinately maintained; the counteracting clauses, the responsibility of the minister, a shadow; the majesty of the people, like the constitution, frittered out of your court. Some of the populace had gone too far; the court availed itself of popular excesses, to cry down constitutional principles; they began with a contempt of popularity, they proceeded to a contempt of fame, and they now vibrate on the last string, a contempt of virtue; and yet these were checks not only in a constitutional public, but in certain connexions; these generally supported the minister, and occasionally checked his enormities. Against this refuge, against the power of the Irish community in general, and this force in particular, is the present policy directed; it is a policy which would govern this country by salary distinct from power, or by power distinct from responsibility, no sturdy tribunes of a constitutional public, no check in an independent nobility.

The runner, the scribe, the stipendiary, the political adventurer; or where the confidential list ascends, men amiable in their manners, and in their private life not only amiable, but even respectable; but men who have no public mind; men somewhat too ready to support any government; men whose characteristic it is to stand by any government, even though that government should stand against Ireland; men who have been, not only the supporters of the minister's power, but the instruments of his passion, his violence, his venality, and his revenge.

The advocates for undue influence, who have appeared in England, have admitted it to be a defect, but a defect that would mix with the constitution. The ministers of Ireland have made that defect the only engine of their government; our ministers have picked up from the British constitution nothing but the most corrupt part of her practice, and that they have carried into the most daring excesses. No constitutional bills to heal; no popular bills to pacify. The currency, the pure poison unmixed, unquenched, unqualified; or if qualified, tempered only with revenge. On this principle did the ministers take into their venal and vindictive hand the table of proscriptions; on this principle did they remove, not because the place was unnecessary—they have made unnecessary offices; on this principle did they de-

prive, not because the pension-list was overburdened—they have augmented that list; but because the placemen so removed, and the pensioners so deprived, had voted against the will of the minister, in questions wherein that minister was pronounced to be unconstitutional, and convicted to be corrupt. On the same principle did the ministry try the paltry arts of division, holding out the aristocracy to the people as the old accomplice of the minister, and to the country gentlemen, as the monopolizers of emolument; as if by the spoil of the aristocracy the minister could bribe away the independency of the country gentlemen, and rob the people of that small, but respectable support, and sink that body into the herd of the Castle. On the same principle did the minister attack the dignity of the peerage, by the sale of honours, and the dignity of this House by the application of the money to purchase for the servants of the Castle seats in the assembly of the people; on the same principle did they attack the purity of this House by the multiplication of office, and division of establishment.

I will not say the ministers went into the open streets with cockades in their hats, and drums in their hands; but I do say, they were as public, and had as openly broken terms with decorum, as if they had so paraded in College-green, with their business lettered on their forehead.

Such has been their practice; and such practice has been defended! Merciful Heaven! defended! We have been taught to believe the Irish viceroy is not to be affected in his situation by the sense of the people of this country. The English minister stands in a different situation with respect to his own. We have been told, that he has been an excellent governor—a friend to this country; that he would defend it from a destructive cabal, who are leagued together for their own selfish purposes; and to do this, it is contended, that he should resort to the treasury to buy the people with their own money. We have been taught to believe, that in order to keep his station, the Irish viceroy may resort to any measures; and that having lost the support of Parliament by offences, he may strive to regain it by corruption; and this doctrine has been extended to the case of a viceroy leaving the government, and employing those moments to gratify his corrupt affection, or to extend his corrupt influence; and the deputy so employed, with his accomplices, have been called the government; and those who would shield the country from such a dark and desperate cabal, have been called a faction; and on this principle it was that the ministry resisted a pension bill, and a place bill, contending for in precept, and committing in practice, all the corruption those bills would guard against. They have laid on us an establishment of very exten-

sive corruption; they contend for in argument the indefinite power of corrupting; that if constitutional and popular questions, such as the regency address, the pension and place bills, the repeal of the police bill, should occur, and find support in the united strength of the nobles and people, in such a case the servants of the Castle should have a power, under colour of new offices, to resort to the treasury, to rob the people, in order to buy the gentry to sell the community, and so defeat popular and constitutional bills by bribery and corruption.

Such a policy and principle, I will not call criminal; I will not call it repugnant to the doctrines of all the great authors that ever wrote on government; but it is that very policy, and that very principle, which all of them have pronounced to be the destruction of liberty, and one in particular, such a crime as to amount to a breach of trust, tending towards a dissolution of the state. Never were the excesses of the mobs of 1783 and 1784 more condemned by the Castle, than this Castle principle and practice are condemned by every respectable authority that ever wrote on government; nor were those excesses of the mob against law, in point of danger, to be compared to those excesses of the court; in reference to these they were trifling offences. You then told the populace they jostled parliament, and attacked the laws. They will now reply to you in your own language: you have jostled parliament, for you have questioned its privileges, and defied its resolutions. You have attacked the law, for you have attacked the law-maker, and therefore have attempted to poison the source of the law; and whatever advantage that assassin, who takes off by poison, has over that other assassin, who takes off by the dagger, such, and such only, in their present policy, have the ministers of the crown over the dregs of the people. Thus, some of the people may retaliate upon our court; I will only say this, that if their principles had existed at a former period, the great events from which these islands derive their liberty could not have taken place; and if their principles prevail and propagate, the blessings which this island derives from those events must be the victim.

Sir, gentlemen have called on us to specify the charges against the administration—we will specify, and begin with the appointment of two additional commissioners. Sir, this measure posts itself on ground uncommonly hollow and defective; against it there are three resolutions of this House, and those resolutions have three aspects: 1st, That seven commissioners were sufficient. 2dly, That the House will not assent to render practicable the multiplication of the number, or the division of the boards. 3dly, That they who advised the increase of the number and the division, advised a measure against the sense of

the House. After this, it was necessary that some great and solid inconvenience should be felt; that the people should generally acknowledge the insufficiency of the old number of commissioners; that the commissioners themselves should report the difficulty to government; and that government should lay the whole before this House, before such a measure as this should be resorted to. On the contrary, no such complaint, no such report, and no such reference have existed; and this no complaint, and this no report, and this no reference, is a proof that government knew that the cause assigned was a vile pretence; too flimsy to be stated, and too ludicrous to be discussed.

A further argument, that additional trouble was the pretence, not the motive, will be found in the direction of the choice of the minister to members of parliament; so that the two tables of commissioners, who have hardly time, it seems, to do the business of the revenue, can, however, sit every day in this House to do the business of the minister; and it is a further proof of the insincerity of this pretence, that if the minister was to employ none but members of parliament, there were two other persons, extinct commissioners, who now receive each a pension of £600 compensation, capable surely of discharging the business of the revenue, if the business of the revenue, and not the influence of the minister, had been the object. It is a further refutation of this pretence, that the public complaint was not the delay of the commissioners, but the great balances in the hands of the collectors, which this appointment does not go to prevent; and also the great expense in the collection of the revenue, which this new appointment goes to increase.

Sir, the argument urged in support of this measure, is decisive against it. It is urged, your taxes have increased; but this argument would seem a sarcasm, as if the bounty of the nation was to be made a means of influence, and an instrument of destruction; but the case is stronger; part of these taxes have their specific officers, as post-office and stamps; part of these taxes are additional, on the same old subject matter of tax, and can be collected at the same time, and with equal ease. The case is still stronger; a principal part of these taxes were granted on an express public stipulation, that the boards of customs and excise should be united, and the number of commissioners reduced to seven. It was in 1773, when the minister wanted new taxes, and also a tontine; there were great grievances on the part of the country, and great wants on the part of government. The minister proposed to redress that grievance, which was the most prodigal and profligate—the division of the boards of customs and excise; this was the public stipulation. "The biennial excess is above £170,000, give

us taxes to equalize; give us £265,000 tontine, including the arrear of a fifth half-year, and we, on our part, entitle ourselves to such confidence, by uniting the boards, and reducing the number of commissioners; and further, to make the new taxes as cheap as possible in the collection, to prevent their being the cause of new salaries, we agree that the stamp tax which we propose, shall be collected by the commissioners of the board of accounts, without any new salary. The reduced commissioners must get a compensation; but that will only be a temporary charge."

Such was the public statement, and such the compact. The minister now retains the tax, and withdraws the consideration. He revives the obnoxious measure in part, and he lays the foundation of a revival *in toto*. The boards will be hereafter completely divided, because there are so many commissioners; and then the minister will order three more commissioners, because the boards are divided.

There is another circumstance which has taken place since the resolutions to which I refer, which is decisive against the measure; by your money bill, all customs inwards are liable to five per cent. which is collected by the laws of excise; it follows, that all the officers of the custom department who collect these duties must have commissions, empowering them to search for exciseable goods; it follows that they must have commissions both from the commissioners of customs and excise; it follows that the power of the commissioners of excise and customs are now rendered indivisible by your own laws, otherwise there must be two distinct boards with equal jurisdiction, presiding over one and the same set of officers; but when the excise laws are to be extended, then it seems the business is rendered inseparable; when undue influence is to be extended, then the business is made separate.

These arguments are strong against this measure, but the strongest argument of all is, the Lord-lieutenant's letter recommending it. In stating this letter, if I seem to depart from the gravity of the subject, let it not be imputed to my levity, but to the letter's absurdity. It states delay and trouble, and it offers a remedy; it states that the patent has appointed nine commissioners, four commissioners of customs only, two commissioners of excise only, and three commissioners of both; it orders that these nine commissioners shall remain in one room, but divide themselves, and sit at different tables, with their respective secretaries, and do the business of excise and customs at one and the same moment, in one and the same apartment.

The commissioners of customs only are to sit at their table, for the conduct of the port business; the commissioners of excise only are to sit at their table, for the conduct of the inland business, proceeding at

the same time, and in the same room, and the commissioners of excise and customs may apply themselves to either as they shall think proper; that is, they are placed in a situation in which they must interrupt one another, and are under a physical impossibility of doing business.—Two courts are placed in a situation in which it is impossible to attend to themselves, and some of the judges are left free to attend to either or both. Suppose the Court of Exchequer was to divide itself into two courts, sitting in the same chamber, and proceeding, one on the business of equity, the other of law, at one and the same moment, with a floating privilege to one or more barons to attend to either.—This letter of the Marquis having thus disposed of the port and inland business, by putting it in a state of interruption and confusion, proceeds to regulate trials, and orders that trials may go on in another chamber, under the cognizance of a sufficient number of commissioners of excise, while, at the same moment, the other commissioners shall go on, at their separate tables, with the business of the port and inland; so that in the words of the letter, in future, instead of only one business being carried on at a time by this new arrangement, the port and inland business, and trial, may go on all at once, without interfering or interrupting one another. Can we possibly imagine that the public, of whose satisfaction the letter speaks, can be satisfied in a species of institution, which superintends near £1,500,000, under a physical impossibility of doing public justice? Can you persuade the public, of whose satisfaction this letter speaks, to be satisfied in a regulation which draws off part of the commissioners of excise from the trial of their property, under laws that require and puzzle the whole force of all the understanding of all those who compose that most absolute board? Can you imagine, I say, that the public will receive satisfaction from a regulation, the virtues of which rest on that paradoxical perfection, that supernatural domination, supposed to be possessed by the commissioners, of shutting their ears to one subject which is discussed before them, and confining the whole force of their understanding to another? But there is not only a physical ignorance in the letter of instructions, there is also an official confusion; the officers of the ports, perhaps, not less than 1500, have commissions, both from the commissioners of excise and customs, and are, it follows, controllable by both. Here, then, are two tables of equal and co-ordinate jurisdiction presiding over one and the same set of officers. Suppose the commissioners of customs think proper to dismiss an officer—they now have a right; suppose the commissioners of excise think proper to continue the same officer—they now have a right; suppose the table of excise, to stop smuggling, orders a cruiser to Cork; suppose the

table of customs order him, at the same time, instantly to Derry.—But there is another mischief in this letter of instruction, the commissioners of excise are responsible for the whole excise, and they are, in cases of improper and illegal seizure, liable to damages; all import excise is collected by port officers, and all their correspondence is in the department of the secretary of the other table—the board of customs. Thus, by the new regulation, the commissioners of the table of excise are responsible for a revenue collected by officers, whose correspondence is deposited with another board, and only comes before the board of excise by accident, or good nature, or personal civility. Would there not be a confusion of responsibility, if the board of customs, to whom all such papers come, were to order a vessel to be seized, when the board of excise, in that case, would be responsible for perhaps £10,000, incurred by damages. As the regulation now stands, the commissioners of excise are to collect a great revenue, by officers whose conduct they have little opportunity to know, and on whose conduct they cannot exclusively decide.

I have dwelt enough on this particular measure; I have shown it to be a defiance of the advice of this House, without the pretence even of expediency, and that nothing since that advice was given, has taken place in the laws to justify the minister in disregarding it; on the contrary, that it is now necessary, in order to conform to the law, to disregard the instruction of the minister. I say, I have shown this measure to be a disregard to the sense of this House, for the purpose of extending influence; this leads me from the particular subject, to the general policy; the nature of this policy I have described; the ultimate consequences I shall not now detail, but I will mention one which seems to include all. I know you say—Union; no; it is not the extinction of the Irish Parliament, but its disgraceful continuation. Parliament, under the success of such a project, will live, but live to no one useful purpose. The minister will defeat her attempts by corruption, and deter the repetition of her attempts by threatening the repetition of the expenses of corruption. Having been long the bawd, corruption will become the sage and honest admonitress of the nation. She will advise her no more to provoke the minister to rob the subject; she will advise her to serve in order to save; to be a slave on the principles of good housewifery; then will parliament, instead of controling the court, administer to its licentiousness; provide villas and furniture for the servants of the Castle; afford a place army to obnoxious members; accommodate with cruel and contradictory clauses the commissioners of the revenue, or feed, on public rapine, the viceroy's clanship! Parliament, that giant that purged these islands of the race

of tyrants, whose breed it was the misfortune of England to preserve, and of Ireland to adopt; parliament, whose head has for ages commerced with the wisdom of the gods, and whose foot has spoken thunder and deposition to the oppressor, will, like the sacred giant, stand a public spectacle shorn of its strength, or rather, like that giant, he will retain his strength for the amusement of his enemies, and do feats of ignominious power, to gratify an idle and hostile court; and these walls, where once the public weal contended, and the patriot strove, will resemble the ruin of some Italian temple, and abound, not with senators, but with animals of prey, in the guise of senators, chattering their pert debates, and disgracing those seats which once belonged to the people.

Here you will stop to consider, and demand, why all this? why this attack on Ireland? The minister will tell you what caused, but I will tell what contributed; it was impunity! impunity! You have no adequate responsibility in Ireland, and politicians laugh at the sword of justice which falls short of their heads, and only precipitates on their reputation. Sir, this country has never yet exercised herself in the way of vindictive justice; in the case of Strafford, she was but an humble assistant; and yet in this country we have had victims; the aristocracy at different times has been a victim, the whole people of Ireland, for almost an entire century, were a victim; but ministers in all the criminal successions ******** here is a chasm, a blank in your history. Sir, you have in Ireland no axe, therefore, no good minister.

Sir, it is the misfortune of this country, that the principles of her constitution have not yet become entirely the maxims of all those who take the lead in her government. They have no public mind; their maxims are provincial: and this misconception of our situation is not a little assisted by a prudent sense of their own interest. They know that Ireland does not punish, and they see that the British court rewards. This will explain why the Irish court prefers a strong corrupt government, to a good sound constitution; why peculations of the most scandalous nature, if the English court do not appear to be affected thereby, are represented as trifles; and why corruptions of a most flagitious nature, if the British court can, by any misinterpretation, be represented as benefited thereby, are advanced as pretensions. This will explain why, under the same British minister, on the same subject, the powers of the two Houses of the British Parliament shall be asserted, and those of the Irish denied; why the extraordinary powers of the two Houses of the Parliament of Britain shall be

advanced, and the ordinary powers of the three estates of Ireland denied.

This will explain the phenomena of the times. A prince of Wales, laden in England with unconstitutional restrictions; a British subject gratified in Ireland with unlimited corruption. This will explain the meanness of our court, as well as its mysteries—when your viceroys, under the present system, for the purpose of reducing the expenses or redressing the evils of the state, are puppets, and the men who serve under them are mere machines moved by wires, held by these puppets; themselves active agents, indeed, for the purpose of incumbrance, and their magic castle the reign of men imp'd with inferior privileges in these descending times of meanness and of mischief.

This will elucidate the present policy; a policy against which we remonstrate. Let us suppose the various descriptions of society to approach the Irish minister, and deprecate his project. And, first, the moderate man. He will tell him:

"Sir, give up this system. We were quiet. Why innovate?—Why commence an attack? Why make us first the dupes of profession, and afterwards the victims of corruption? why a system in which we cannot perceive, or principle, or prudence, or temper?" Let the financier approach him: "Sir, give up this system. You have exceeded the old duties, and you have exceeded the new, and you have exceeded the estimate of expense, as well as the produce of the revenue; and you have been obliged to draft £70,000 from the public creditor, and you have been obliged to bolster up the state by lottery subscription; and nothing remains but to attempt new loans, or to proceed to new taxes, or to fall on the bounty." Let the modest virtues of private life approach him: "Sir, give up this system; we do not enter into political discussion, but may we be permitted to fear, lest the very great degree of public corruption at this time, for reasons best known to yourself, adopted, and the ribaldry cast by your government on public virtue, may at last extend their poison to the purity of private life." Or let us bring forth the institution of parliament itself to expostulate with the Irish minister! or, if there is yet her spirit resident in this dome, let that spirit rebuke him! I cannot hear its voice, but I think I feel its dictates. I obey, and I move you,

"That the resolutions of this House against increasing the number of the commissioners of the revenue and dividing of the boards, be laid before His Majesty, with an humble address that His Majesty will be graciously pleased to order to be laid before us the particulars of the representations in consequence of which two new commissioners of the

customs have been added, notwithstanding the resolutions of this House; and also that His Majesty will be graciously pleased to communicate to his faithful Commons, the names of the persons concerned in recommending that measure."

11*th February*, 1790.

I think it necessary to rise, to make some few observations on what fell in this debate from some gentlemen on the other side, on the subject of party. We have been called "*the tail of a British faction;*" by whom? By those, or the followers of those, who owe their livelihood, or their first elevation, to what they call "*the British faction;*" by those who have received one, two, or three thousand pounds a-year from that British faction; whose numerous family have been fed by that British faction; or whose introduction into political life was first due, and the consequences, therefore, in some degree, to be attributed to that British faction. There is not one of the gentlemen in the present Irish administration who are really confidential, that are not bound either by the closest relationship, or the greatest political pecuniary obligations to that British faction; nor is there any one of them, or of those who act under them, that would not be the humble servant of that British faction, if the keys of the treasury were once more in those hands; nor is there any one of them who would not, and does not now, for his private interest, personally and privately court that British faction. When such men revile that body, and instigate their friends, and followers, and retainers, to revile that body, such men do not acquit themselves of the charge of party, but convict themselves of the basest ingratitude and vilest adulation. They prove themselves willing to offer their wretched incense to whomsoever shall be in power; to those from whom they now receive wages, and therefore fawn on, at the expense of those from whom they did receive wages, from whom they are ready to receive wages, but from whom, at this particular moment, they receive wages no longer; and, therefore, such men are not above party, but so very mercenary and menial, as to be below faction. Just so, the coachman who drives the minister: he serves secretary after secretary—he is handed down from master to master, and he inquires not into the principles of any, but receives wages from all; and his justification is, that he is a servant. But should he, servant as he is, like some of you, revile those masters who have paid him, then he would be a faithless hireling, and not an honest servant.

Sir, I will tell gentlemen what description of party is beneficial; party united on public principle, by the bond of certain specific public measures, which measures cannot be carried by individuals, and can only succeed by party.

I will state some of our's: a pension bill; a place bill; a repeal of the present Dublin police bill; a responsibility bill; that is, a bill requiring the acts of the executive power to be signed by certain officers resident in Ireland, who shall be, with their lives and fortunes, responsible to this kingdom in the measures and expenses of government; also a bill to preserve the freedom of election, by disqualifying revenue officers; and, further, a total demolition of the new charges created by the Marquis of Buckingham.

These are some of the measures to which we, if we should have power, are pledged to the public to carry into specific execution. I read them the rather, because, *littera scripta manet,* the public hears and will record.

These are some of our measures. I now turn to administration, and call upon them to state their measures; what bills for the public good? State them; come forth. I pause to give them time to consider.—Well, what are they? not one public, constitutional, or wise regulation; there they sit under the public eye—a blank, excavated and eviscerated of any one single constitutional or economic bill, or principle, or project, for the good of the community.

Sir, I will give these gentlemen of administration, on this topic of party, the greatest advantage they can in their situation receive. I will draw a veil over the past, and forget the specific services which we have performed, and those which we are pledged to perform for the good of the country. I will also forget the injuries which they and their abettors have at different times inflicted, and are this hour inflicting on the community; let us start, as it were, anew; set name against name, and we will beat them down by character.

I have submitted a description of a party which I conceive to be a public benefit. I will state to you a description of a party which I conceive to be a public curse; if party it can be called which is worse than a faction, and nothing more than an impudent *phalanx* of political mercenaries, coming from their little respective offices to vote for their bribe, and vapour for their character, who have neither the principles of patriotism, nor ambition, nor party, nor honour; who are governed not by deliberation, but discipline; and lick the hands that feed, and worship the patron who bribes them. Degraded men, disgraceful tribe, when they vote for measures they are venal; when such men talk against party, they are impudent!

As to the complaint before you, contained in the address of my friend, I can only say what has already been said better by others.

This complaint is not incompatible with the bill. It states the grievance of the excess of pensions, and applies for redress; the bill purports to prevent the repetition of that excess by operation of law. The pension list is not now less than the latitude of the bill; they have not read the bill who talk so. The establishment of the bill, including royal pensions, parliament pensions, military pensions, and incidents, was £80,000. The latitude of the list with these, about £110,000. There was, indeed, in the bill a latitude for future royal and parliament pensions, but the present were and are included in the bill of £80,000—you will be certain of this, because we will try the bill again. They say we have no evidence—of what? that the Irish pension list is excessive and corrupt. What! do they want to be convicted as well as confuted? Had you the evidence they demand, it would not be sufficient to proceed against the measure, it would be incumbent on you to proceed against the men.

What evidence had this House in 1757, which resolved a string of resolutions against pensions? What evidence had this House in 1771 and 1773, that resolved against Mr. Dyson's pension? In these cases you act as an inquest—notoriety is evidence here—notoriety of corruption in the present case is ample evidence. Do you demand more evidence? The men who have supported these measures are evidence; the reason, or rather the want of reason, they adduced, is evidence. They have attempted to tell you, that you have no right to complain to the king on the exercise of his prerogative; and, in telling you so, they talk like school-boys, unfit to be members of the legislature; and still more unfit to be ministers of the crown. You are the great council of the nation, and obliged to remonstrate to the king on the improper exercise of his prerogative, unless you have abdicated that situation; and, instead of being the great council of the nation, under the present ministers, have become the pensioners of administration.

Gentlemen tell you, that your debt has decreased, and therefore they infer, you may increase corruption. Sir, the fact is not so; the funded debt, indeed, has decreased, and without any merit in government; but there is another debt, the unfunded debt, which has not only increased, but which, when added to the other debt, makes in the whole, on a comparative view of 1789 with 1787, an increase of debt £113,000; for those reductions of fictitious charges are to be taken off the debt of 1787, as well as off 1789, and there will be, notwithstand-

ing your new taxes, and your unfounded argument, an increase of debt from 1787 to 1789, in the sum of £113,000. But there is another position which they cannot deny, and which is fatal to that argument that supports the pension list, on presuming the ability of the nation. Sir, you this moment exceed your income; you exceed it in the sum of near £100,000, notwithstanding this casual payment to the minister for New Geneva. What becomes of the argument of those gentlemen now? Sir, there is another position which they cannot deny, and that is, that they now want a loan of near £200,000, which they wish to postpone; but they admit the fact. Their argument, therefore, founded on the prosperity of your revenue, is a false confidence, founded on a fallacious statement. Their other argument, founded on the prosperity of the nation, let us examine that.

The country is rising in prosperity! it is true. We prevailed—we, on this side of the House, with the assistance of the people, got for the country a free trade, and a free constitution; without the assistance, and in direct opposition to some of the gentlemen on that side of the House now in her government; gentlemen who took no part, or took a most hostile and wicked part on those great occasions. Yes, Sir, we prevailed against those deserters of the pretensions of their country, of her trade, and her constitution; the consequence of their defeat and of our victory was, that the country, free from restrictions, shot forth in prosperity and industry, not by the virtue of her present ministers, but by her own native vigour, which their oppression is no longer able, and which their corruptions have not yet been able, to subdue.

This country is placed in a sort of interval between the ceasing of a system of oppression, and the formation of a system of corruption; the former affects her no longer; the latter has only began with the walls of certain august bodies, and will take time to propagate all its poisons into the mass of the country; but go on for ten or twelve years as you have done in the last five; increase in the same proportion your number of parliamentary places; increase, as you have done, your annual charge, every five years of peace £183,000; get every five years new taxes, and apply them as you have done, and then the minister will find that he has impaired the trade and agriculture, as well as destroyed the virtue and the freedom of the country.

There is no object which a course of corrupt government will not finally ruin—morality, constitution, commerce, manufacture, agriculture, industry. A corrupt minister issues forth from his cabinet like sin and death, and senates first wither under his footsteps; then he consumes the treasury; and then he corrupts the capital, and the dif-

ferent forms of constitutional life, and the moral system; and, at last, the whole island is involved in one capacious curse from shore to shore —from the nadir to the zenith.

Yes; the country is a great and growing kingdom; but were the physical blessings as sparingly dealt out as those which proceed from her present government; were she as much cast off by Providence as by her ministers, I own I should think her *a country too lost to be defended.*

Yes! Ireland is a great country, 4,000,000 of men and near 5,000,000 of export; look at your ministers; there they are; I do not ask them—but I ask you, are they, are they such men—the public eye beholds them—are such men fit to govern such a country? Contemplating with due reverence, as they ought, the majesty of the people of Ireland, men such as they are, should feel in her growing consequence a sense of their own unworthiness, and a lesson to their presumption.

26*th February*, 1790.

Sir, those country gentlemen who have declared a general confidence in his Majesty's ministers, should have stated some ground for that confidence; for general opinion must be founded on particular facts. What are the fourteen new parliamentary salaries, and a new pension list of £13,000 a-year, added or supplied, whereof you will find eight or nine pensions mediately or immediately parliamentary.—Will the frankness of country gentlemen call these, these fourteen new parliamentary salaries, and these eight or nine parliamentary pensions, any thing more than measures of corruption? What do they think of these peerages, sold for money to be laid out in the purchase of seats for the servants of the castle to sit among the representatives of the people? It follows, that the country gentlemen, such of them as now step forward in support of the administration, must either withdraw their confidence, or acknowledge that they give their confidence without any ground whatsoever, and notwithstanding the criminal attempts made by his Majesty's ministers, attempts which these country gentlemen cannot deny, and which they, according to their own principles, must abhor. Sir, those gentlemen may for a time afford their countenance to such an administration; but, in order to keep their credit with their country, they must soon withdraw their confidence from such a government, or forfeit their reputation.

Sir, it is impossible that the gentlemen and yeomen, and the people of this country, must not soon discern the wicked designs of such a

government, and resist them by every constitutional means. The spirit of the country is too high to suffer such a set of men, upon such principles, to predominate, to insult, to corrupt, and to enslave. Sir, an honourable gentleman (Mr. S. Moore) has been pleased to re-assert what he said on a former occasion; what he said on that occasion was nothing more than a correct and faithful statement of the principles of the present government—*corruption!* His indiscretion was great; he has fallen a victim to that indiscretion, and to the profligacy of the government to which he belongs. But he has done no more than discover their corrupt principles, with the rattling manners of a country gentleman, but without the principles. He has advanced and asserted the most desperate tenets of a most desperate courtier. He is a fatal friend, and a useful enemy. Were he on our side, I should have deprecated his candour and implored his silence; being against me, I hope he will go on, and not be deterred by the general and just indignation which attends the promulgation of his unconstitutional and shocking opinions. Countenanced as he is by government, what he delivers is what he collects; and, therefore, he betrays their system of governing by corruption. After delivering principles sufficient to damn the party which he supports, he proceeds to condemn the men and the measures of the body he opposes,—that body with which I have the honour to be connected, and in his condemnation he is (all he can be) a negative testimony in favour of our principles and proceedings; for, after making such declarations, as he has done in favour of a corrupt government, he has left himself no means of serving us except by condemnation. The measures that meet with his disapprobation are, a place bill, a pension bill, a responsibility bill, and the repeal of the police. He tells us, that the people do not wish for these necessary measures, and he challenges the people to come forth in order to declare their sentiments whether they are desirous to support such measures. He appeals to the people. I have no objection to know their sentiments on these subjects; but I must observe, that it is he and his friends on that side of the House who now appeal to the great collective body of the people, and call upon them to declare their political sentiments on the present emergencies. They certainly are challenged by the advocates of administration to come forth and declare whether they are the friends to a place bill, a pension bill, a responsibility bill, and a repeal of the present police. For these admonitions we are indebted to the gentlemen on the side of government, and particularly the honourable member pleading for all the corrupt practices of a bad government with the thorough principles of a courtier, conveyed with the frank temerity of a country gentleman.

That frankness which only befits the cause of truth and liberty, the honourable gentleman unfortunately applies to the cause of venality and corruption. After him another gentleman has come forth, a learned sergeant (Hewit) from the ranks of the other side, with weak artillery, and abundance of little zeal, and he has condemned much, and he has reviled much, and this little, gentle, gentleman thinks himself severe; and he has talked of my appetite for power, and my lust of dominion. There is much inoffensiveness in this gentleman, accompanied with a great wish to be severe. Never was a man more innocent in effect. We never had the power he mentions; and when we appeared to have that power, he passed upon us a most unnecessary panegyric; though now when he sees we have no power, he discreetly utters his little invective, just as well received by us, as his little encomium. Having thus displayed himself in a most harmless way, had he not better retire into the ranks to which he belongs?

Sir, gentlemen in opposition to the bill under your consideration, have told you that it was rejected before, and therefore ought to be rejected now. They add, that nothing has happened to make the bill more expedient now, than at the time when it was rejected. Sir, they forgot what has happened since the rejection of this bill; the great abuses of power by his Majesty's ministers, in the creation of new employments, or of new salaries, for the purpose of extending the influence this bill would restrain. They forgot the fourteen new parliamentary salaries, for members of this House, created since the last rejection of this bill; they have by their misconduct made this bill no longer a matter of speculation, but of absolute and immediate necessity. They tell us that we have done very well without such a bill, and, therefore, need not adopt it; as well might they say, that we have existed well under the present laws, and, therefore, need not make any more laws whatsoever. They forget that society exists by annual provisions for its own preservation, and that no free people can long exist in a state of freedom, unless they shall, from time to time, repair their constitution, and restore and shock back (as is termed) that constitution to its primæval principles. Such has been the conduct of all free nations, and such the sentiments of all learned men who have written on the history of nations. But gentlemen tell us, that the influence of office is nothing; that no member of parliament is influenced by his place, in the vote he gives in this House. That is an argument which they themselves have repeatedly denied. What have they meant by saying that this country was sold, at first, they told you for half a million, and afterwards they increased the sum, and told you she was sold for £1,500,000, and that she must be sold again, in order to combat a

prevalent opposition? What, I say, did they themselves mean by this threat, unless to confess this very influence of place and pension, which, it seems, they now deny? What did they mean, when it was acknowledged, on their part, that these new parliamentary salaries were, in fact, political expedients? Will the country gentlemen listen to any man on the side of government, when he roundly asserts to them, that no member of parliament is influenced in the vote he gives by the place or pension he enjoys? But gentlemen are aware of the folly of that argument, and they say that the placemen and pensioners are influenced to support the government in general, but when a great constitutional question, when the existence of the country was at stake, then they would turn out and support the realm! What a fallacious security this! All the intermediate, all the leading questions according to this, shall be determined by an undue and sinister influence, but the being of the constitution shall have a chance for a fair discussion. Are gentlemen aware how much the being of the constitution must be affected in its strength and its health by all those intermediate questions, and how unable, when the last question comes, it may be to make an exertion for its preservation; political mortality is gradual, and if you admit the access of death to all its members, the heart will not revive their functions, but must lose its own.

Sir, I am free to allow, that some placemen will run great risks and make great sacrifices, but let me add, that they are never forgiven for so doing, and that they are discountenanced by government, when they are not dismissed for so doing. Let me also add, that it is the principle of the present government to destroy that spirit in the servants of the Crown, and to enforce the severest discipline, and to destroy those aristocratic bodies from whence such occasional resistance may be expected, by reducing and mincing every thing into small insulated and abject individuals, who have no confidence in one another, nor respect for themselves.

Sir, in the course of this debate we have been told, that this law, however well suited to England, is inadmissible here. I have wished to hear the reason; I have heard none. We know well that the gentlemen of this country are in principle not more constitutional, nor in fortune so independent as the gentlemen of England. If we are to pay attention to the secretaries who have governed this country, we must suppose that the gentlemen of it have much less virtue and much more want; for these secretaries have not scrupled to declare, that they have found a venality in the gentlemen of Ireland, which has astonished them; they have not only kept a shop for corruption, but they have proclaimed the secrets of it, and, in so doing, have furnished

us with an additional argument in favour of this bill, and to the refutation of those who tell you that it is not calculated for the meridian of Ireland. Sir, I cannot avoid observing, that in this day's debate, gentlemen on the other side of the House have adopted a certain tone of power, I presume in consequence of a very indecent and disorderly interposition on the part of one who does not belong to this House, though he has lately interfered in its proceedings. Sir, I am not uninformed to what length that person went within these walls, even during the debates of this House ;* it seems to me somewhat strange, that gentlemen on the other side should dwell so much on the necessity of parliamentary decorum, when they have been evidently spirited up by an interposition, which, in itself, was the grossest violation of parliamentary decency. Sir, I have been told it was said, that I should have been stopped, should have been expelled the Commons, should have been delivered up to the bar of the Lords for the expressions delivered that day.

I will repeat what I said on that day. I said that his Majesty's ministers had sold the peerages, for which offence they were impeachable. I said, they had applied the money for the purpose of purchasing seats in the House of Commons for the servants or followers of the Castle, for which offence, I said, they were impeachable. I said they had done this, not in one or two, but in several instances, for which complication of offences I said his Majesty's ministers were impeachable, as public malefactors, who had conspired against the commonweal, the independency of parliament, and the fundamental laws of the land ; and I offered, and dared them to put this matter in a course of inquiry. I added, that I considered them as public malefactors, whom we were ready to bring to justice. I repeat these charges now ; and if any thing more severe was on a former occasion expressed, I beg to be reminded of it, and I will again repeat it. Why do not you expel me now ? Why not send me to the bar of the Lords ? Where is your adviser ? Going out of this House I shall repeat my sentiments, that his Majesty's ministers are guilty of impeachable offences ; and, advancing to the bar of the Lords, I shall repeat those sentiments ; or, if the Tower is to be my habitation, I will there meditate the impeachment of these ministers, and return not to capitulate, but to punish.

Sir, I think I know myself well enough to say, that if called forth to suffer in a public cause, I will go farther than my prosecutors, both in virtue and in danger.

* Mr. Fitzgibbon (Earl of Clare).

SPIRITUOUS LIQUORS.

2nd February, 1791.

On the 26th of January, Mr. David Latouche stated the great and alarming excess in the use of spirituous liquors, so prevalent, not only in the city of Dublin, but throughout the kingdom; that the industry and morals of the inhabitants were severely affected by it, and parliament was called on to interfere. He therefore moved the following resolutions: "That it is the opinion of this House, that the excessive use of spirituous liquors is highly injurious to the health and morals of the people; that a committee be appointed to take this subject into consideration."

Mr. Grattan rose to second the motion; but Mr. Hobart (secretary) having caught the Speaker's eye first, was called on. He expressed himself sensible of the great injury resulting to the country from the immoderate use of spirits, and gladly seconded the motion.

Mr. Grattan: I have great pleasure in giving my approbation to the motion, and did rise to second it; but the right honourable gentleman (Mr. Hobart) has stepped before me. I am, however, happy to see the right honourable gentleman show any activity in any case, where this country is to be benefited. I shall always be happy to give him the way—let the country receive the benefit, and let him receive the applause.

I am happy, Sir, at the mode the House has taken; by adopting the resolution, you make it indispensable on the House to proceed to the destroying of this poison, which now destroys the health, the morals, and the industry of the people; and which, notwithstanding the variety of interests which seem to place insurmountable obstacles in the way, I doubt not to see effected. It is imagined the growth of corn and the revenue will be checked. I do not think this can happen; but even if it should, I would sacrifice both to the human species. Corn and revenue were made for the benefit of man—not man to be sacrificed to the increase of these; but tillage or revenue can lose nothing by correcting this abuse. Consider the time lost in intoxication; consider the riots, the disorders, the litigations that arise from this plenteous source of evil! It is absurd to suppose, that healthy, laborious men will not consume more corn as food, at the moment they are, by their industry, contributing to the benefit of the state, than poor enervated wretches, poisoned and debilitated by the use of spirits.

As to the revenue, the real objection against reforming the abuse of spirits (and the only objection that ever I heard which had any real weight) is, that if you raise the duty beyond a certain point, you

hold out an encouragement to the clandestine distiller; but even this, I think, is not beyond the ability of parliament to obviate. Whatever is done to promote sobriety in this country, must be done by parliament. Parliament, by the gin-act in England, sobered England; and why may not we do the same in Ireland? Though there are local differences between the countries, yet there cannot exist such essential ones as would bespeak, in the people of Ireland, an indomitable dissoluteness, or in the Parliament of Ireland, total incapacity.

There are four measures, by the combination whereof I think this may be effected: A tax on the malt; a further tax on the distillery, and the disallowance of drawbacks; a very heavy expense for license; and a tax upon retailers.

The first of these measures, it may be feared, would injure the brewery; but to guard the brewery from injury, and to promote its interest, is, in my opinion, a primary object of the reform.

It will be for the consideration of the committee, whether it is not advisable to take away the present excise on beer and ale, totally and entirely, and throw the whole duty, which either is to pay, on the malt, making that duty less than what is now paid by the brewer, so as to give your brewery a decided encouragement and advantage over any foreign brewery, or any home-made spirit. In so doing, you free your brewery, which I think indispensably necessary, from the injudicious restraints now imposed on it. You free the brewer from all restraint, as to price or quantity of material, and you permit him to make the most of his materials, by selling both beer and ale, if he chooses, by lowering the duty; you give a spirit to a trade which now declines, and you will therefore give to the consumer a cheaper and better beverage, and furnish nourishment in the place of poison, which is one way of preventing its consumption. Your committee will then consider of some further measure to check the consumption of whiskey, beside the encouragement of malt liquors. It may possibly appear eligible to have, without drawback, and in addition to the malt-tax, as above stated, a certain excise on the distiller, and to add further a very high tax on the license, and, perhaps, another tax on the retail.

Besides the measures which I have mentioned, I would endeavour to interest the magistrates and gentlemen of the country; the revenue can never be collected by any number of officers, if the gentlemen of the country do not countenance and support them. I would have in every district superintending magistrates, with power to inflict immediate penalties; to report to the quarter sessions (perhaps on oath) the number of stills and of retailers in their district; and I would give

to the sessions a power of punishing crimes committed against the revenue with severity.

In settling the excise on spirits, it should be raised so high, if possible, as to put them out of the reach of the mechanic and the labourer, taking care, at the same time, to provide him with a cheap and wholesome beverage; in order to which, the excise, and every restriction, should be taken off the brewery; no tax on brewing should be suffered to remain, save only that paid on the malt. The brewer, like every other manufacturer, should be left to himself to prepare his goods in the best manner his skill could suggest; neither should he be tied to any price. All this may be done with the utmost safety; his profits may always depend on the quantity of his manufacture consumed; the consumption will depend on the quality of that manufacture, and, therefore, it would become his interest that the quality should be the best.

By adopting these measures, Sir, you would have an opportunity of reducing the number of excise-officers. By the return made to this House last year, it appeared, that their number exceeded 800; which, reckoning their salaries and fees (fees more oppressive to the subject than salaries) cannot be estimated at less than £100 per man, or £80,000 in the whole. If to these you add the incidents and the expense of check-officers, you cannot suppose the gross amount to make less than £100,000 paid for collecting £270,000. This, I think, is the strongest case that can be made out to induce the House not only to remove the evil of poisoning the people, but the evil of collecting a revenue from that poison.

If, Sir, those measures, after being well matured and digested by the House, shall be adopted; and if any defalcation shall happen in consequence, the House is not without a remedy—a lottery (if such be in contemplation). Let the lottery, which is applied to the current service of the year, be applied to make good any defalcation in the revenue; but while I recommend this application of a lottery, I would not be supposed to be a friend to insurance. I believe the city has suffered as much by insurance, as the country has by whiskey.

The motion was supported by Sir Lucius O'Brien, Mr. Denis Browne, and Mr. J. Beresford, and unanimously agreed to.

On this day (2nd February), the committee sat, Mr. David Latouche in the chair. Mr. Grattan brought forward the plan he had in contemplation, and spoke as follows:—

We are agreed, that no false alarm for revenue or agriculture shall stand in the way of the proceedings in this committee. We are agreed to banish the present excessive use of spirituous liquors, without re-

gard to the *pretended* interest of the crown, the farmer, or the distiller. We must also be agreed, that the principal cause is, the low price, and that the only remedy Parliament can interpose is, to raise that price, by augmentation of duty. It was weakly suggested, that the use of spirituous liquors was decreasing under the operation of the present laws; and that, in the course of time, the present laws could correct the evil.

But what are the papers before you? A consumption of 3,000,000 of gallons of whiskey, above 1,000,000 of gallons of rum, and near 300,000 of gallons of brandy, beside a great indefinite quantity of the first of these liquors that is not comprehended in your papers, because illicit. It appears from those papers, that the number of licenses to sell spirits is about 8000; the number of houses in Ireland, by the best returns, is calculated at 640,000, and by returns of different parishes, it appears that nearly every seventh house is a whiskey-shop; that is about 90,000. The license is £5 in cities, and £3 in counties. Now, if every one of the houses selling spirits paid for their license, the revenue would be near £300,000 for licenses only; it is now £32,000. Hence, judge what a quantity of spirit is sold against law; and you have already seen what a quantity is sold under law. It is, therefore, weak and fallacious to hold out the present laws as likely to correct the excessive use of spirituous liquors. It becomes, therefore, necessary to interfere, and interfere by laying high duties. The object of those duties must be to prohibit the lower orders of the people from the consumption of spirits, and the quantum of those duties, at least, in the first instance, such as may approach to, but not equal the duties on foreign spirits. The excise is now fourteen pence per gallon, of which sixpence is drawn back on account of the malt tax. If you stop the drawback, you add at once sixpence per gallon to the spirit, which will, with the malt tax, make the whole duty amount to about twenty pence; add to that, such further excise as the committee shall think necessary to raise the price too high for ordinary consumption. But it will be also necessary to regulate the granting of licenses, and to take from the commissioners that power, and lodge it with the quarter sessions, who shall have authority to withdraw those licenses; and in the interval of the quarter sessions, I would give to the justices of the peace a power of suspending them. It will also be proper to oblige the person taking out a license to enter into a recognizance for the order and regularity of his house; and it will be further necessary to confine licenses to a certain description of housekeepers, that the number may not be excessive, and that the person selling liquor may be a responsible publican. There is, there-

fore, a resolution to this purpose, conceived in general terms, that the bill founded on these resolutions, may more particularly set forth. It is also necessary, in order to prevent the unlicensed sale of spirits, to give the magistrates new and summary powers, with regard to all persons selling unlicensed liquor: but as all this is only experimental, there is a final resolution, expressing the propriety of such a committee as this, the opening of the next session, sitting to inquire into the effect of our measures, and take such further steps as may be found requisite.

Whatever is adopted with regard to spirituous liquors would be imperfect, indeed, if nothing was done in advancement of the breweries. The state of your brewery, on a comparison with its state thirty years ago, is that of a rapid decline; the decrease is about one-third; increase of importation nearly two-thirds; whereas, your increase of intoxication, that is, your increase of the consumption of whiskey, in the course of twenty years, appears to be as 700 to 3,000,000. Judge from this growth of poison, and this decline of nutriment, how necessary the interference of parliament to sustain the latter, as well as to check the former. Your breweries labour under many disadvantages. Dear and inferior barley is one; a prohibition against hops from Flanders (a prohibition which you ought now to take off) another; the superiority of the malt liquor of England, which daily increases upon you, another; also duties, which are too high, and extraordinary regulations, which are wrong in principle, and which have proved in experiment to be mischievous.

I have, therefore, submitted with respect to brewery; first, a resolution declaring it requires decisive encouragement: secondly, a resolution declaring, that the duties should be reduced, and the restrictions taken off: and, thirdly, a resolution declaring, that these ends were best answered, by taking the whole excise off beer and ale, and laying a moderate duty on malt. I have digested this idea into three resolutions, because I do not wish to embark the fate of the redress of the brewery on the event of a malt-tax; at the same time I am clear that you will at last, if you do not now, see the wisdom of entirely and absolutely repealing the whole excise on beer and ale. The present system cannot be justified. It is expensive in collection, small in production, and in little and vexatious restrictions and penalties, abundant.

The malt-tax is now £116,000, collected at considerable expense of officers; the drawback is about £100,000, so that the tax nets about £16,000 a year. The excise of beer and ale, after deducting the drawback on account of malt, is about £60,000. The number of officers employed to collect this, with the other inland excises, is about 800.

See, then, what a multitudinous system of expensive collection, and what a miserable production. Take off, therefore, the whole excise on beer and ale, and with it banish some of those idle officers, and all those idle restraints and regulations which affect the brewer in every part of his process, as well as in the ingredients thereof. I will suppose you take off the excise, and lay sixpence a stone on the malt. I do not say, you ought, by any means, to lay so much; but if government will not consent to less, yet see even on that duty how the brewer will stand; supposing six stone and a half to a barrel of beer, he will pay three shillings and three pence per barrel, whereas he now pays four shillings and one penny.

There is another advantage attending the transfer of the excise to the malt—that you will then bring the home-spirit much more under the control of your regulations; because, when such a tax is laid on the malt, as will take place if the whole excise on beer is taken off, whatever is kept of excise on the distiller, will have more operation. He will first pay a malt tax, he will then pay an excise, which, being less, will in so much diminish the temptation to smuggle, while, on the whole, he pays such duties as greatly raise the price of the spirit. I shall now read the resolution, observing, that, in my opinion, the revenue will be increased thereby; but that I am very willing that an estimate should be made of the revenue affected by this measure for the last three years, and a resolution, that if, on the next year, it is diminished, parliament will make good the difference.

He then read the following resolutions:

"That a principal cause of the excessive use of spirituous liquors, is the low price thereof.

"That to remedy said evil, it is necessary to impose such duty or duties on spirituous liquors, as render the same too dear for the consumption of the lower orders of the people.

"That it is necessary that all licenses whatsoever should be granted by the quarter sessions only; and that a considerable duty should be imposed on licenses for the sale of spirits; and all persons taking out licenses should enter into a recognizance for the order and regularity of his house.

"That it is advisable, that no license should be granted except to persons of a certain description, and that the quarter sessions should have a power of withdrawing all licenses; and, during the interval of their sitting, the magistrates of suspending them.

"That it is necessary to give the magistrates, with respect to all houses selling unlicensed spirits, summary powers to convict and punish.

"That, in order to give the lower orders of the people a wholesome and nutritious liquor, it is necessary to give the brewery of this kingdom decisive advantages.

"That, for this purpose, it is necessary that the duties affecting the brewer should be *reduced*, and the restrictions and regulations, whereby he is now restrained, *taken off*.

"That it is advisable to take off the whole excise from beer and ale, and in the place thereof lay a moderate tax on malt.

"That it is advisable, that the justices of the peace should make a report to the grand jury of all the houses selling unlicensed spirits, that the grand juries may, on proper information, present the same.

"That it is necessary a committee should sit at the opening of the next session, to inquire into the effect of the above regulations, and take such further steps as may be found requisite to carry into execution the first resolution of the House, to banish the excessive use of spirituous liquors."

Mr. Grattan then moved the first resolution.

Mr. Beresford stated, that the proposed plan embraced too wide a range to be decided on at present. He admitted that the breweries should be encouraged, and restraints imposed on distillation of spirits. He set forth an account, from which it appeared that the number of stills had greatly decreased. In the year 1781, they were 1212; their contents were 295,127 gallons; and they paid duty for 1,787,295 gallons; the proportion of which, to their contents, was as six to one. The excise paid that year was £71,612. In the year 1790, the number of stills were 246; the excise paid that year was £170,729. Thus the number of stills were reduced from 1212 to 246, and the revenue increased from £71,612 to £170,729.

The Speaker (Foster) and Mr. Hobart agreed in principle with Mr. Grattan. The former strongly recommended that the breweries should be encouraged, which, he contended, were every year sinking, owing to some radical error in the laws.

Mr. Grattan's first resolution passed without a division; and as it appeared to be the sense of the House that further time should be given to consider the rest, the motion, that the chairman should report progress, was put and carried.

SALE OF PEERAGES.

8*th February*, 1791.

I propose three questions for the right honourable gentleman's consideration: First, Is not the sale of peerages illegal? Second, Is it not a high misdemeanor and impeachable offence? Third, Whether a contract to purchase seats for persons named by the ministers of the

Crown, with the money arising from the sale of the peerage, is not in itself an illegal and impeachable transaction, and a great aggravation of the other misdemeanors?

I wait for an answer. Does the right honourable gentleman continue in his seat? Then he admits these transactions to be great and flagrant breaches of the law. No lawyer I find so old and hardy, so young and desperate, as to deny it. Thus it appears that the administration of this country, by the acknowledgment of their own lawyers, have, in a high degree, broken the laws of the land. I will now discuss the nature of transactions admitted to be illegal; I know the prerogative of conferring honours has been held a frugal way of rewarding merit; but I dwell not on the loss of any collateral advantages by the abuse of that prerogative, but on the loss of the essence of the power itself, no longer a means of exalting, and now become an instrument of disgrace. I will expostulate with His Excellency on this subject; I will bring him to an eminence, from whence he may survey the people of this island. Is there, my lord, a man of all who pass under your eye, one man whom you can exalt by any title you may think to confer? You may create a confusion in names, or you may cast a veil over families, but honour, that sacred gem, you have cast in the dirt! I do not ask you merely, whether there is any man in the island whom you can raise? but I ask you, is there any man whom you would not disgrace, by attempting to give him title, except such a man as would exalt you *by the acceptance*—some man whose hereditary or personal pretensions would rescue his name and dignity from the apparent blemish and ridicule cast on him by a grant from those hands to whom his Majesty has most unfortunately abandoned, in Ireland, the reins of government?

The mischief does not go merely to the credit, but may affect the existence of the nobility.

Our ministry, no doubt, condemn the National Assembly, in extinguishing the nobility of the country, and I dare say they will talk very scrupulously and very plausibly on that subject. They certainly have not extinguished the nobility of Ireland, but they have (as far as they could) attempted to disgrace them, and by so doing have attempted to lay the seeds of their extinction. The Irish ministry have acted with more apparent moderation; but the French democracy have acted with more apparent consistency. The French democracy have, at one blow, struck from the nobility, power, perquisite, and rank. The Irish ministry have attempted to strike off honour and authority, and propose to leave them their powers and their privileges. The Irish ministry, after attempting to render their honours as

saleable as the seats of justice were in France at the most unregenerated period of her monarchy, propose to send them abroad, to exact deference from the people as hereditary legislators, hereditary counsellors to the King, and hereditary judges of the land; and if hereafter any attempt should be made on our order of peerage, look to your ministry, they are the cause—THEY—THEY—THEY WHO HAVE attempted, without success, but with matchless perseverance, to make the peerage mischievous, and, therefore, are guilty of an eventual attempt to declare it useless.

Such a minister is but a pioneer to the leveller; he composes a part of his army and marches in the van, and demolishes all the moral, constitutional, and political obstructions of principle and purity, and all the moral causes that would support authority, rank, and subordination.

Such a minister goes before the leveller, like sin preceding the shadow of death, shedding her poisons and distilling her influence, and preparing the nectar she touches for mortality. I do not say, that such a minister with his own hands strips the foliage off the tree of nobility. No; he is the early blight, that comes to the island to wither your honours in the first blast of popular breath, and so to scatter, that at last the whole leafage of nobility may descend.

This minister, he does not come to the foundations of the House of Lords with his pick-axe, nor does he store all their vaults with trains of gunpowder. He is an enemy of a different sort. He does not purpose to blow up the houses of parliament; he only endeavours to corrupt the institutions, and he only undermines the moral props of opinion and authority; he only endeavours to taint nobility; he sells your Lords and he buys your Commons. The tree of nobility;—that it may flourish for ever, and stand the blight of ministers and the blast of popular fury, that it may remain on its own hill rejoicing, and laugh to scorn that enemy, which, in the person of the minister of the crown, has gone against the nobles of the land;—this is my earnest prayer.—That they may survive, survive to give counsel to those very ministers, and, perhaps, *to pronounce judgment upon them.* But if ever the axe should go into that forest; if, on the track of the merchantmen, in the shape of the minister, the political woodman, in the shape of the leveller, should follow; if the sale of peerage, as exercised by the present minister, becoming the ordinary resource of government, should provoke a kindred extreme, and give birth to a race of men as unprincipled and desperate in one extreme as they are in the other, we shall then feel it our duty to resist such an effort, and as we now resist the ministers' attempts to dishonour, so shall we then resist the consequence of his crimes—projects to extinguish the nobility.

In the mean time to prevent such a catastrophe, it is necessary to destroy such a practice, and, therefore, necessary to punish, or remove, or intimidate, and check your ministers.

I would not be understood to speak now of a figurative sale of honours; I am speaking of an *actual one in the most literal sense of the word.* I know the grants of honours have been at certain times made for influence distinct from pretensions; but not *argent comptant*, the stock purse. It is not title for influence, but title for money to buy influence. You have carried it to the last step, and in that step have gone beyond the most unscrupulous of your predecessors; they may have abused the prerogative, but you have broken the laws. Your contract has been what a court of law would condemn for its illegality, and a court of equity for its turpitude.

The ministers have endeavoured to defile the source of honour; they have also attempted to pollute the stream of justice. The sale of a peerage is the sale of a judicial employment, which cannot be sold without breach of an express act of parliament,—the act of Richard II. and Edward VI.

I know the judicial power is only incidental to peerage, but the sale is not the less against the spirit of the act; indeed, it is the greatest possible offence against the spirit of the act, inasmuch as the judicial power in this case is final, and comprehends all the judgments and decrees in all the courts of law and equity.

If I am injured in an inferior court, I can bear it; it is not without remedy. But there, where everything is to be finally corrected; where the public is to be protected and rescued from the vindictive ignorance of a judge, or the little driving, arbitrary genius of a minister; the last oracle of all the laws, and the first fountain of council, and one great constituent of the legislature; to attempt to make that great repository a market; to erect at the door of the House of Lords the stall of the minister, where he and his friends should exercise their calling, and carry on such an illicit and shocking trade. That a minister should have cast out of his heart all respect for human institutions so far, as to attempt to post himself at the door of that chamber, the most illustrious, select, and ancient of all institutions we know of; to post himself there with his open palm, and to admit all who would pay for seats.

Is this the man who is to teach the Irish a respect for the laws, and to inculcate the blessings of the British constitution?

History is not wanting in instances of gross abuses of the prerogative in the disposal of the peerage; the worst ministers perhaps have attempted it; but I will assert, that the whole history of England does

not furnish so gross and illegal an exercise as any one of those bargains contracted for by the minister of Ireland. In the reign of Queen Anne, there was, by the Tories of the times, a great abuse of that power; twelve peers created for an occasion. In some particulars there was a similitude between that and the present act; it was an attempt to model the House of Lords; but there was no money given. The turpitude of our transaction was wanting in the act of the ministry of Queen Anne, it was an act of influence purporting to model one House of Parliament; but it was not the sale of the seats of one House to buy those of the other, and model both.

The second instance is the sale of a peerage by the Duke of Buckingham in the reign of Charles I. It was one of the articles of his impeachment, a peerage sold to Lord Roberts for £10,000; it was a high misdemeanor, a flagrant illegality, and a great public scandal; so far it resembles your conduct, but it was no more. The offence was confined to a single instance; the Duke of Buckingham created one peer of the realm, one hereditary legislator, one hereditary counsellor, and one final judiciary, for a specific sum of money for his private use; but the Irish minister has created divers hereditary legislators, divers hereditary counsellors, and divers final judiciaries, for many specific sums of money. The Duke of Buckingham only took the money for a seat in the peers, and applied it to his own use; but the Irish minister has taken money for seats in the Peers, under contract that it should be applied to purchase seats in the Commons; the one is an insulated crime for private emolument, the other a project against the commonweal in this act.

The ministers have sold the prerogatives of the crown to buy the privileges of the people; they have made the constituent part of the legislature pernicious to each other; they have played the two Houses like forts upon one another; they have discovered a new mode of destroying that fine fabric, the British constitution, which escaped the destructive penetration of the worst of their predecessors; and the fruit of their success in this most unhallowed, wicked endeavour would be the scandal of legislation, which is the common right of both Houses of jurisdiction, which is the peculiar privilege of one; and adding the discredit which, by such offences, they bring on the third branch of the constitution (unfortunately exercised in their own persons), they have attempted to reduce the whole progress of government in this country, from the first formation of law to the final decision and ultimate execution; from the cradle of the law through all its progress and formation to its last shape of monumental record. They have attempted to reduce it, I say, to disrepute and degradation.

Are these things to go unpunished? Are they to pass by with the session, like the fashion of your coat, or any idle subject of taste or amusement?

Is any state criminal to be punished in Ireland? Is there such a thing as a state of offence in Ireland? If not, renounce the name of inquest, if—ay—punish. He concluded by moving the following resolution:—"That a select committee be appointed to examine, in the most solemn manner, whether the late or present administration have entered into any corrupt agreement with any person or persons, to recommend such person or persons to His Majesty, as fit and proper to be by him made peers of this realm, in consideration of such person or persons giving certain sums of money to be laid out in procuring the return of members to serve in parliament, contrary to the rights of the people, inconsistent with the independency of parliament, and in violation of the fundamental laws of the land."

SPEECH ON THE ADDRESS.

19*th January*, 1792.

The House met pursuant to prorogation, when the Lord Lieutenant (Westmoreland) opened the session by the following speech to both Houses:—

"My Lords and Gentlemen,

"I have it in command from his Majesty to acquaint you, that, since the close of the last session, preliminaries of peace have been signed between Russia and the Porte, and those powers are now engaged in negotiation for a definitive treaty, which his Majesty trusts will complete the restoration of tranquillity amongst the different powers of Europe.

"His Majesty, convinced of the interest you take in whatever concerns his domestic happiness, commands me to acquaint you of the marriage of his Royal Highness the Duke of York and the Princess Royal of Prussia.

"Gentlemen of the House of Commons,

"I have ordered the proper officers to lay before you the national accounts, and I trust you will make such provisions as are necessary for the exigencies of the state, and the honourable support of his Majesty's government.

"My Lords and Gentlemen,

"The constant attention you have shown to the interests of Ireland makes it unnecessary to recommend to you a continuance of that wise system of policy, from which your country has received such inestimable advantages in the increase of her trade, her credit, and manufactures. It is equally unnecessary for me particularly to point out the encouragement of your agriculture, and attention to your linen manufacture. The Protestant charter-schools, and other charitable institutions, will receive your accustomed consideration.

"You may be assured of my zealous co-operation to forward every measure that may contribute to the public welfare. I shall pay unremitting attention to the due execution of the law and the maintenance of good order and government, so essential to the continuance of that freedom, prosperity, and happiness, which Ireland enjoys under his Majesty's auspicious reign, and under our excellent constitution."

Lord Thurles, in a maiden speech, moved an address of thanks to his Majesty. It was an echo of the speech. The motion was seconded by the Honourable George Knox, who declared his approbation of the government and their administration.

Mr. GRATTAN said: I have no objection to concur in every thing honourable to his Majesty, and sincerely do rejoice in every circumstance which can add to his public and private happiness. I am sure every circumstance that can tend to increase that happiness, must give pleasure to every branch of his Majesty's subjects, and to none more sincerely than to his loyal people of Ireland, who must ever rejoice in the auspicious increase of the illustrious House of Hanover, whose accession to the throne of these dominions has been attended with so many blessings to this country, as well as every other part of the empire. So far I am ready to concur in this address. In addresses of this kind, declarations of our readiness to support the different establishments of government are usual and perhaps necessary. But I freely concur in that part of the declaration; and am not only willing to support those establishments, but even any new establishment which can add to the honour of his Majesty's reign, or the happiness of his family. But to that part of the address, which goes to declare thanks to his Majesty, for continuing in the government of this country a Lord Lieutenant, and an administration whose measures I have found it necessary to oppose; and who have uniformly opposed every measure urged for the good of this country, I cannot give my assent. It would be equally inconsistent and absurd for men to have found it necessary to oppose the measures of administration, and then to return thanks to his Majesty for continuing that administration. To comply, therefore, in this part of the address, with the unanimity the young nobleman recommends, would be to render the compliment of congratulation to his Majesty a farce.

Either the opposition would appear insincere, or the address itself must appear so. But I know better of one side, and I hope better of the other, than to imagine such a circumstance. The measures of opposition have not been lightly taken up, nor will they be lightly abandoned. They were adopted in sincerity of heart, and have been maintained by uniformity of conduct.

It is now ten years since you recovered your constitution, and three

since, in the opinion of some, you have lost it. Your present ministers made two attempts on your liberties; the first failed, and the second, in a degree has succeeded. You remember the first; you remember the propositions. The people of Ireland would not consent to be governed by the British Parliament; an expedient was devised —let the Irish Parliament govern the people of Ireland, and Britain govern the Irish Parliament. She was to do so specifically in those subjects in which she had been most oppressive; monopolies of commerce East and West. We were to put down the Irish constitution, in order to set up British monopoly against Irish commerce. The ministry who conducted this trick, took care to make the Irish advance by a certain number of propositions, under an assurance that the British cabinet would, to an iota, accede, and they made the Irish Parliament give an additional revenue on the faith of that accession. They then suffered the propositions to be reversed, turned them against the country from which they were supposed to proceed, and made them fatal at once to her constitution and to her commerce. The individuals concerned in this business, some of them had pledged themselves against an iota of alteration; they broke their honour. The Irish minister was pledged to a specific system, he prevaricated; in the attempt on her liberty, he was a violator; in taking her taxes a swindler. This measure was defeated, by the influence principally of that part of the aristocracy who refused to go through the bill, and who have been dismissed. They who made the attempt have been advanced and rewarded. The path of public treachery in a principal country leads to the block, but in a nation governed like a province, to the helm.

The second attempt was the modelling of parliament; in 1789, fifteen new salaries, with several new pensions to the members thereof, were created at once, and added to the old overgrown parliamentary influence of the crown; in other words, the expenditure of the interest of half a million to buy the House of Commons; the sale of the peerage and the purchase of seats in the Commons; the formation of a stock-purse by the minister to monopolize boroughs, and buy up representation.

This new practice, whereby the minister of the crown becomes the common borough-broker of the kingdom, constitutes an offence so multitudinous, and in all its parts so criminal, as to call for radical reformation and exemplary punishment, whether the persons concerned be Lord Buckingham or his secretary, or those who became the objects of his promotion, because they had been the ministers of

his vices. It was a conspiracy against the fundamental laws of the land; and sought to establish, and, in a degree, has established, in the place of a limited monarchy, a corrupt despotism; and if any thing rescues the persons so concerned from the name of traitors, it is not the principles of law, but its omission, that has not described, by any express provisionary statute, that patricide of which these men in intention, and in substance, are guilty. They have adopted a practice which decides the fate of our parliamentary constitution. In vain shall we boast of its blessings, and of its three estates, the king, the lords, and the commons, when the king sells one estate to buy the other, and so contaminates both. The minister has sent one set of men packing into the peers, and another set of men packing into the commons; and the first he calls the hereditary council, and the latter the grand council of the nation, and both, that once great and august institution—the parliament. Such a condition, I say, puts the constitution of Ireland, not below a republic, but any other form of genuine and healthy government. It is not mixed monarchy, with parts happily tempered, and so forth, the cant of grave and superannuated addresses; but a rank, and vile, and simple, and absolute government, rendered so by means that make every part of it vicious and abominable,—the executive who devours the whole, and the other two parts which are thus extinguished. Of such a constitution, the component parts are debauched by one another; the monarch is made to prostitute the prerogative of honour by the sale of honours; the lords by the purchase; and the commons prostitute their nature by being the offspring not of the people, but of a traffic, and prostitute themselves again by the sale of their votes and persons.

I allow the British constitution the best, and arraign this model as the worst, because practically and essentially the opposite of that British constitution. The British minister has given an account of the English constitution which he wishes to extend to the Irish constitution; "Aristocracy," he says, "reflects lustre on the Crown and lends support and effect to democracy, while democracy gives vigour and energy to both, and the sovereignty crowns the constitution with dignity and authority. Aristocracy is the poise," he says; "give an infusion of nobility." The Irish minister can answer him; he who sold the aristocracy and bought the democracy; he who best understands in practice what is this infusion of nobility; he who has infused poison into this aristocratic and this democratic division of power, and has crowned the whole with corruption;—he well knows all this, as far as Ireland is concerned, to be theatric representation, and

that the constitution of the country is exactly the reverse of those scenes and farces which are acted on the public stages, of imposture and hypocrisy.

By this trade of parliament the king is absolute; his will is signified by both houses of parliament, who are now as much an instrument in his hand as a bayonet in the hands of a regiment. Like a regiment, we have our adjutant, who sends to the infirmary for the old, and to the brothel for the young, and men thus carted as it were into this House to vote for the minister are called the representatives of the people. Suppose General Washington to ring his bell, and order his servants out of livery to take their seats in congress. You can apply this instance.

We have read a description of the late national assembly of France. I can suppose something more degrading even than the picture; suppose an assembly, not ruled, as it was suggested, by a club of Jacobins, but by a Swiss major, who robbed the treasury of France, and bought the assembly. You can apply this instance.

Mr. Locke has the following passage: "Such revolutions happen not upon every little mismanagement in public affairs; great mistakes on the ruling part; many wrong and inconvenient laws and all the slips of human frailty will be borne without mutiny or murmur; but if a long train of abuses, prevarications, and artifices, all tending one way, making the design visible to the people ——". Mr. Locke then states what the design is.

"What I have said concerning the legislature," he continues, "is equally true concerning the supreme executive. He acts contrary to his trust when he either employs the force, treasure, or offices of the society to corrupt the representatives and gain them to his purpose, or openly corrupts the electors and prescribes to their choice such, whom he, by solicitation, promises, or otherwise has previously won to his designs, and employs them to bring in such who promised beforehand what to vote and what to enact. Thus to regulate candidates and electors, and new-model the ways of election, what is it but to cut up government by the roots, and poison the very sources of public security? For the people having reserved to themselves the choice of their representatives as a fence to their properties, could do it for no other end but that they might be always truly chosen, and, so chosen, truly act and debate as the necessity of the commonwealth should on examination be judged to require; and this, those who give their votes before they hear, are not capable of doing. To prepare such an assembly as this, and to endeavour to set up the declared abettors of his own will as the true representatives of the people, is certainly as great

a breach of trust and as perfect a declaration of a design to subvert the government as can possibly be."

I must observe on this passage, that, in the opinion of Mr. Locke, parliament as well as kings may abdicate; and having quoted the passage, let me quote the declaration and confession of the Irish ministry: "Half a million was expended by government, in 1769, to defeat the aristocracy; that is, to buy the representatives of the people, and gentlemen may now force government to expend a greater sum for the same purpose." I will now state the fact as appears from your establishment, and as you all allow it to be, the interest of about that sum was expended to buy the parliament, and it was bought accordingly. I will state another account; a stock-purse was made by the minister, partly out of the sale of peerages, to buy up seats in parliament in order to introduce only such men as had previously agreed to vote with the minister, and both facts constitute severally or jointly what Mr. Locke calls "preparing" such an assembly as he describes, and setting up the abettors of the will of the minister as the representatives of the people. Here is the present model; the trade of parliament instead of the constitution. See its effects! The strongest question that could be put to the nationality of the Commons, was that which related to the trade of Ireland with the East. The question was simply this; whether Ireland should exercise that trade, or individuals sell it to the minister of the crown, acting in Ireland as an agent to the East India Company, and after three debates it was determined for the Company, against the country, by her own parliament, under the influence of her minister, who proposed, that Ireland should be satisfied with the right, and leave the profits of the trade to the company; the country, by her exertions, had established the right; the individual, by corruption, sold the exercise.

It happened, in 1779, that the claim of what they called free trade, had gone directly to the exercise, and not to the right: it said, that nothing but a free trade could save this country from impending ruin; meaning not a title to trade, but possession; it happened also, that when government, through the instrumentality of her parliament, stopped the trade of Ireland to the unoccupied parts of the East, Spain interrupted the trade of England to the unoccupied parts of the North-west, and stood with respect to England as government stood with respect to Ireland; with this difference, Spain was a natural and open enemy; the other carries on a war against the interest of her country with her own money, and under the trust and the name of her government.

There was a circumstance attending this treachery that made it still

more mortifying; this very government had called upon Ireland for a vote of credit against Spain, and posted the Irish Parliament in the most extraordinary and degrading predicament, voting money to a war with Spain for interrupting the trade of England to the North-west, and assisting England in interrupting the trade of Ireland to the East; assisting government to do against Ireland that very act which she was to fight Spain for attempting to commit against Great Britain.

The question cannot end here; it is the cause of free trade and free constitution revived; that cause for which this country committed life and fortune; not for a barren right, but for profitable possession; not to give a portion of it to the East India Company, still less to suffer their own servants to sell a portion of it to the Company's agent resident here under the name of your minister; least of all to suffer that very agent to draw back a portion of your trade by pilfering the treasury to buy the parliament, and to betray the late illustrious acquisitions of their country. On this principle might gentlemen give up the American European colonial trade; it would be only a question about the quantum of money expended on the members, and the quantum of danger incurred by their notorious acts of bribery and dereliction.

The rejection of a responsibility bill, and, still more, the principles on which it was rejected, is another effect of the trade of parliament; to say, that without responsibility in the officers of state, there can be no limited monarchy, would be unnecessary in any enlightened country except Ireland; indeed, the existence of responsibility is as essential to the limitation of the monarchy, as the existence of a king to monarchy itself; and yet when the servants of the crown argued against the bill, such ignorance did these men display, that they affirmed, that were the ministers of the crown responsible in Ireland, for what they did by the orders of the king, yet they were above him, viceroys over him; and tattle of that sort. These men who had been talking and talking about the British constitution, showed they were misinformed both of the fact of the constitution in one country, and the principles of it in both. It was thus La Mancha's knight discourses about the perfections of his mistress, whom he never beheld. As on the East India question, they had resisted their free trade, so here they resisted their free constitution, and contended for absolute impunity in every abuse of power and prerogative that could be committed by the servants of the crown, and by none more likely to be committed than themselves, acting under the authority of the first magistrate.

They were the more inexcusable for this doctrine, because they had before them their own crimes; many of them sat in the house, like

gorgeous satraps, dressed in their own extortion ; they had also in recollection the crimes of their predecessors ; of those lord-lieutenants and their secretaries, whom these men had supported. In 1769, the army was increased to 15,000 men, under compact to keep within the kingdom at all times, except invasion or rebellion in Great Britain, 12,000 men, and in 1779 you had not 5000 ; and government got your own consent to your nakedness. In 1773, a tenth was added to your revenues, on compact, to stop the further growth of debt, and in 1775, a new debt was presented to you. In 1785, new taxes were presented on specific estimates of all your expenses, and every one of those estimates instantly and ever since grossly and corruptly exceeded. In 1783, an addition is made to the place of the private secretary to the Lord-lieutenant, on compact that he is not to have a pension. He takes a pension ; his successor keeps the addition ; and the nation continues saddled with both. In 1766, a king's letter is sent over, promising a specific reduction of most of the offices in the ordnance. In 1789, every word of the letter falsified, and every salary of those places increased for parliamentary influence. In 1773, a promise was made, in consideration of new taxes, to keep the boards of stamps and accounts united. In 1789, that promise is falsified, and they are divided for corruption. In 1773, the boards of revenue are united, and the number of the commissioners on compact, reduced ; and in 1789, the compact is broken for corruption.

In 1785, the ministers in the respective countries come forward with two sets of propositions. The Irish secretary produces one part of the plan as the ultimatum of government, and for that he gets your taxes ; the English minister then produces the other part, and for this he asks your constitution ; and Ireland, like a poor traveller, is glad to escape with her life and liberty, after having been fleeced by two robbers. I only state a few instances of perfidy out of a thousand instances of mal-administration.

Carthage, or what the Roman historian has said of Carthage, has not exceeded your ministers in the fallibility of public honour. The ministers of this country have acted here on the principle of East India adventurers ; but here there is less vigour in the soil, and, therefore, less plunder in your government ; send these men beyond the line, send them to Aurora and the Ganges, and that principle will be rapine ; keep them to Ireland, it is peculation ; it is the sale of the country for half a million ; it is robbing the country to buy the parliament.

The persons who opposed the responsibility were therefore perfectly apprised of its necessity : they should have felt it in the general prin-

ciples of the constitution; they must have felt it in the particular abuses in the Irish constitution; they felt in their own particular situation, that the minister of Ireland, as our administration is at present constituted, has an interest opposite to the welfare of the country. It was once the object of the Irish government to support the supremacy of the British Parliament; it is now their object to supply that supremacy, and establish the corruption of the Irish in its place.

What made these present men ministers? What, but a steady opposition to the independent exertions of parliament, and an activity to corrupt it. The liberty of the country has served the individual; it has made their treachery precious: and corrupt Irishmen must now do what powerful Englishmen did before them.

The constitution of parliament may be divided into two parts: internal, which comprehends the existence of parliament; and external, which comprehends its creation. As to the former, it is not the mere existence, but the independency of its existence, wherein the freedom of the subject consists. To restore that independency a place bill was introduced. The legislators, the purse-bearers, the grand inquisition and great council of the nation, had as little control on the monarch as his beef-eaters. When the place-bill was proposed and rejected—Brenus and the Gauls—the right honourable gentleman was in your lobby with his mouth in every man's ear, and his touch in every man's palm!

By the rejection of the bill, they seemed to declare, that the House had been bought, was bought, and should be bought again. Among other arguments against the bill, one was advanced by authority, that the bill would prevent the crown from combating aristocracy, by bribing the Irish Parliament. What an argument for a radical application—for a decisive measure to bring back your constitution to its first principles!

This bill was rejected along with a pension bill. The pension lists so called are two—civil and military; but the real pension lists are more numerous; they distribute the bounty of the king among the senate—the licentiousness of the court, and the enemies of the realm. This is called a part of the dignity of the Crown. Corruption has not only reached the hearts of men, but it has debased their dialect; and our public language is become the speech of hypocrisy and imposture.

In rejecting both these bills, the ministerial language was, "it is true, they are the laws of England, but they are not fit for the meridian of Ireland;" this is much more than asserting that Ireland should not be free; it is asserting that England should be free, and Ireland should not; you may put the question of servitude in such a shape, as to disgust the pride of a Cappadocian. The lot of Ireland, ac-

cording to this reasoning, becomes particular degradation. We bear misfortunes patiently, because they are the portion of man; but if they were the inheritance of you and of me only; if the imperfection of the dispensations, ordinances, and decrees of nature were visited on one tribe of the human species; if Providence had spoken like the ministers of our country, "these blessings are very well for others, but they are too good for you;" I fear that the tribe so cast off would turn to execration; and till Providence shall mark its Divine displeasure, by inflicting some visible opprobrious distinction on the people of Ireland, confirming the argument of their minister, and denoting its intention to degrade us, I must to such logic remain a disbeliever. It was once in this country, "equal fate, and equal freedom"—the style is now changed a little—equal fate, *i. e.* equal fall, but inferior freedom; inferior freedom, and superior profligacy.

With the same view, to save the internal purity of parliament, we proposed a resolution, touching those ministers of the crown employed in the sale of peerages. They have made the honorific prerogative a nuisance; they have endeavoured to disgrace one House of Parliament, and to model both; they have invited the rabble to tread upon the nobles; and if this House had done its duty, some of those gentlemen now on the treasury bench should be lodged in the Tower.

I have said the constitution may be divided into two parts; internal and external. To preserve the former, we introduced those measures; and with a view in some degree to diminish the corruption of the latter, we introduced a bill for disqualifying revenue-officers from voting at elections; the bill did no more than what the principles of the constitution required, and no more than England already had done by statute. It prevented from interfering in election, a set of men who are in a most absolute manner dependant on the will of a minister; men who have from their office the power to harass and oppress the freedom of other electors, while they have no power to act with freedom themselves. They are so many votes taken out of the democratic scale, and thrown into that of the other side, and instead of adding to the number of free electors, are so many votes to be deducted from thence. The disqualifying bill was more necessary in Ireland, because the persons concerned in the revenue sit in parliament: your collectors are members; your commissioners are members; are, in some cases, of course, to try their own constituents. They are not only members, they are ministers; they are not only ministers, they are borough patrons, and form a great aristocratic influence by virtue and abuse of their commissions.

The trade of parliament is like original sin—it operates through all

political creation, and would lead me to various other instances in which this country has been deceived and exhausted, and in no instances more frequently than in the artifices whereby this trade has endeavoured to sustain itself. You remember the £140,000, and the threefold falsehoods annexed—trade, equalization of expense, and non-accumulation of debt. The first promise failed at the outset; the equalization, the second promise, was also falsified; the government falsified every one of its own estimates, not of necessity, as has been suggested, or from national charges imposed, but voluntarily, prodigally, and corruptly. I will remind them of some of their expenses. Do they remember the prodigalities of your pension in 1786, and the profusion of their park expenses, at which the ministers laughed when they voted? Do they remember the corruptions of Lord Buckingham, which corruption the gentlemen acknowledged, when they voted for the third promise? Non-accumulation of debt fails, when that of equalization fails. The minister who is guilty of exceeding, is guilty of debt, and not he who provides for it. They get a lottery, which is a resource to debt to supply the current corruption of the year, and they introduce this lottery under colour of diminishing the interest of the loan; and, when established, apply the annual amount to the establishment; they had gotten £140,000 taxes, £80,000 lottery; this will not do; they get a gross sum of £60,000 from the bank, and. instead of applying to liquidate, give it to the establishment—£80,000 per annum lottery, £60,000 bank.

They raised the duty on spirits just to that criminal and critical point which left the intoxication and increased the revenue—to take away at once the understanding of the people and their money; the increase of the duty on whiskey, they made an excuse for raising the duty on rum. As that duty stood before, it was higher than the proportion; in England the proportion is about one to three, in Ireland two to three. Violating the proportion he professed to observe, to filch the revenue he pretended to abjure, he had engaged to encourage the brewery, as he had promised to depress the spirit; and was as fallacious on the encouragement of the one, as in the depression of the other. His whiskey was to be rendered unattainable by raising it a farthing a pint; strong beer was to be brought into consumption by lowering it the one hundredth part of a farthing a quart; here is his ultimate line of encouragement and depression of bringing a wholesome beverage into general use, and banishing a poison. The minister had filched, by this trick, his drawback on the loan, which was £70,000; he had filched what was estimated at about £40,000 beside on spirit; and, in consideration of this, he offers you beer at three pence a barrel

reduced price. The fact is, the price of beer is now increased; the gentlemen who first proposed, disclaimed the business, and saw the duplicity; they had determined not only to give the brewery decisive advantage, by lowering the duty, but by taking off restrictions on the trade. I pass over the false measure by which the brewer is now taxed and aggrieved. Hear how they have taken off the restrictions by adding to them; they have imposed a new restriction affecting the quantity of liquor each brewer is to make; and to exclude the smaller brewer from the trade, they add a new restriction, and they left one of the worst of the old—the division of the breweries.

On the same plan of encouragement, he agreed to permit the importation of foreign hops. We had kept down our brewery in compliment to the brewers of London; we put it under inconveniencies in compliment to the hop-growers of England; we had excluded all foreign hops, and this monopoly of our consumption, our negotiators of the propositions stated not as a favour to England, but an obligation to her. They have since changed their opinion, and learned that Flanders may grow hops as well as England. They agreed, therefore, that foreign hops should be importable at three pence per pound, which is twice as much as the duty on English; and then, in mockery of what they themselves had agreed to, they proposed in that repository of unconstitutional matter—the revenue bill—a clause which prohibited the import of foreign hops, except when British amounted to £9 the cwt.; so that, however dear, however bad the English hops might prove, you must take them, unless they come to such a price that England cannot export them. Here is the fatal hand of an Irish cabinet legislating against Ireland, to promote its own credit in the court of Great Britain. Thus stands the conduct of the minister. On this subject he had disclaimed revenue; he had filched what was estimated at above £100,000; he had professed to stop the use of whiskey, he had raised it a farthing the pint; he had professed to preserve the British proportion in the duty of rum, he violated that proportion; he had professed to give the brewery decisive encouragement, by lowering the duty on beer, he sunk the duty the hundredth part of a farthing a quart; he had proposed to leave the brewer free, he left one grievous restriction, and added another; he had professed to agree to permit the import of foreign hops, he fixes the line of permission at an impossible price. These measures were too bad, and, therefore, it became necessary to do something bearing a resemblance to what he had professed—the discouragement of the use of spirits. He, therefore, borrows from a right honourable gentleman a bill of regulation; that bill, every efficient part of which is the formation

of the right honourable gentleman, is the only measure that gives any chance of relief from that situation to which the duties adopted by the ministry lead—an increase of revenue, and a continuation of drunkennesss.

From what I have stated of the situation of your parliament, and from the conduct of that parliament, under the influence of such a situation, your political liberty is in much danger. What is the state of your civil liberty? Four actions are brought for certain publications against one printer; and, without specifying any loss, they lay their damages to the amount of £8,000. The judge grants different fiats to oblige the printer to give bail to that amount; and the printer, unable to furnish such bail, is committed to prison; here is, by the judge so acting, a breach of the great charter; he deprived the subject of his liberty in a case which deprived the press of its freedom, and he did this against a positive clause in Magna Charta, which forbids excessive bail; and he did this on a principle which would enable him equally to deprive every other subject in the kingdom of his freedom against whom any action, however frivolous, was brought.

The printer, having suffered almost to ruin under an arbitrary judgment, became a subject for parliamentary inquiry; but here a person, much more criminal than the judge—the minister, stands forth; he comes with all the patronage of the crown to screen from justice all these attacks on the liberty of the subject, and the liberty of the press. But was it friendship, was it private tenderness? No; he betrayed the judge in the moment, and in the manner of defending him; he confessed the crime when he screened the criminal. The ministry are enemies to the inquisitorial power of the people; a proceeding against an erroneous judge might be a precedent against an hot, an intemperate, and an arbitrary minister; they who had libelled the people of Ireland as gross and stupid, would not like to see that people exercise their inquest over the worst or even the best of judges. The people might question the sale of the peerages; they might question the expenditure of the half million; they might question the attack on the rights of the city; when, therefore, the minister screened the judge, it was partly on a principle that the House of Commons should not proceed against state offenders; it was not that they hated the judge less, but that they hated justice more; the honourable mover said he dropped the question; I think him right. The offence of the judge is washed away; he has been punished in the treachery with which he has been defended; he has been punished in having a rival, his patron, and the right honourable gentleman his advocate; as his offences are washed

away, so are they eclipsed by the crime of the ministry, that ministry, who, systematically and deliberately bad, could screen with the influence of the crown, a judge whose offence they acknowledge, whose character they betray, whose authority they undermine, and whose power they continue.

The ministry, for whose continuation you are now to thank the king, have not only attacked civility by protecting the errors of judges, but by making their seats part of the patronage of the minister in the House of Commons; a respect for the constitution is fatal to the pretensions of a lawyer; a disregard for liberty is a qualification sufficient for him; the barrister is brought from his studies in the hall, to his compliances in the senate. In vain shall the minister assume a regard for the common law, to apologise for his contempt for the constitution when he undermines the law as well as that constitution, by making a corrupt political traffic of both, and mortgages the seats of justice, to reward parliamentary compliance. It is worse than an illegal opinion, or an attack on corporate rights; it is sowing the seeds of illegality in the very bed of justice. That minister who makes the law arrangement a part of parliamentary patronage, sells the seats of justice; he who sells the seats of justice, sells the law; and he who sells the law of the country, sells his loyalty.

I shall be told of many learned men of the law, sitting in this House. I make not the least doubt; but if it is neither repute nor learning, but the tender of both at the feet of the minister, that must raise them to the bench, I condole with them, and still more with their country.

There are various instances in which the corruption of the senate touches the condition of private life (instances which cannot be well pronounced), to attack either the political or civil liberty, yet accomplish an abundance of mischief; the police establishment of the city of Dublin, repeatedly patronised by the present administration, is of this nature; an institution planned to corrupt your magistracy and to procure a guard which neglect, insult, and has committed robbery on
ens; they applied for redress, and found in government an
ce; the charge for this public nuisance has been, since its
ment, near £100,000.

ejection of the barren land bill is another subject, where the
parliament has touched the private interest of men, and the
economy of the country, a subject, if compared to what has
ntioned already, a trifle; but as explanatory of principle, a
The bill provided, that lands which, by reason of their
ss, had been exempt from tithe, should continue so for seven

years, notwithstanding their cultivation; the principle of this bill was an immediate addition to the income of the kingdom, and a reversionary addition to that of the church: upon its principle it was rejected by the influence of government, and of that very government who had before declared the bill to be the best ever brought into parliament. Three bills had been introduced in 1788—one for rape, another for flax, and a third for barren land. The ministry compromised that two should be sacrificed to the bishops, and one should be conceded to the country. They went farther, and their attorney-general* declared, that the bill in question, viz. the barren land bill, was the best ever brought into parliament; and he took on himself the modelling some clauses to secure the assent of the bishops: the bishops, or some who led them, were then supposed to have broken faith with government, as government after broke its engagement with the country, and rejected this very best of all possible bills on the worst of all possible motives; for the votes of the bishops in parliament. They, the ministers, sold this bill; they sold it to the lords spiritual, just as they had before sold their honours to the lords temporal. Such a step would scarce be credible, except under an administration who had prevaricated on the subject of the propositions, under whose venal auspices seats of justice, peerages, the establishment, and now the bills and proceedings of parliament, like their own talents and activity, were all sold for parliamentary compliances.

I congratulate the church on its alliance with such ministers of the crown. But let me assure them, it will not serve their promotion; they live under an administration which has but two principles of promotion, for church or law: ENGLISH RECOMMENDATION and IRISH CORRUPTION.

What is the case of Doctor Kirwan? That man preferred this country and our religion, and brought to both a genius superior to what he found in either; he called forth the latent virtues of the human heart, and taught men to discover in themselves a mine of charity, of which the proprietors had been unconscious: in feeding the lamp of charity, he had almost exhausted the lamp of life; he comes to interrupt the repose of the pulpit, and shakes one world with the thunder of the other. The preacher's desk becomes the throne of light; around him a train, not such as crouch and swagger at the levees of princes (horse, foot, and dragoons), but that wherewith a great genius peoples his own state, charity in action, and vice in humiliation; vanity, arrogance, and pride, appalled by the rebuke of

* Mr. Fitzgibbon.

the preacher, and cheated for a moment of their native improbity. What reward? St. Nicholas Within or St. Nicholas Without!! *The curse of Swift is upon him to have been born an Irishman; to have possessed a genius, and to have used his talents for the good of his country.* Had this man, instead of being the brightest of preachers, been the dullest of lawyers; had he added to dulness venality, had he aggravated the crime of venality, and sold his vote; he had been a judge: or had he been born a blockhead, bred a slave, and trained up in a great English family, and handed over as a household circumstance to the Irish viceroy; he would have been an Irish bishop and an Irish peer, with a great patronage, perhaps a borough, and had returned members to vote against Ireland, and the Irish parochial clergy must have adored his stupidity, and deified his dulness. But under the present system, Ireland is not the element in which a native genius can rise, unless he sells that genius to the court, and atones by the apostacy of his conduct for the crime of his nativity.

Unde derivata hæc clades? In five words I will tell you; in the trade of parliament: it is a matter to consider, how a man bred up in the school of liberty, how a foreigner would speak to you ON YOUR PRESENT SITUATION; he would perhaps address the gentlemen of this House in the following manner: You put on the sword, and would have drawn it for your freedom, and failing, you had died in the field, or had bled on the scaffold. In that event, the Attorney-general, on the part of the crown, had prosecuted, and the Chief-justice had pronounced sentence, and the boys of your court would have shouted at the execution of the patriots. How comes it that of the men that would have been your executioners, some of them have become your ministers? Your madness is not become a general disease; we do not find that the English, after their revolution, made Father Peter, Archbishop of Canterbury, or that General Bender has placed Vandernoot at the head of the Imperial army. America had enemies, but she disposed of them in a different manner; you have put into commission your enemies, and you have banished your friends. We see with astonishment, and in it we blush for the abortive efforts of national spirit, the mortifying insignificance of public opinions, and the degrading contempt into which the people of your country have fallen, with all their shouts and addresses. We see your old general who led you to your constitution, march off; dismissed by your ministry as unfit to be trusted with the government of a county; the cockade of government struck from his hat.* That man, whose accomplish-

* Lord Charlemont, late governor of Armagh.

ments gave a grace to your cause, and whose patriotism gave a credit to your nobles; whom the rabble itself could not see without veneration, as if they beheld something not only good, but sacred. The man who, drooping and faint when you began your struggles, forgot his infirmity, and found in the recovery of your constitution a vital principle added to his own. The man who, smit with the eternal love of fame and freedom, carried the people's standard till he planted it on the citadel of freedom, see him dismissed from his government for those very virtues, and by that very ministry for whose continuance you are to thank the king. See him overwhelmed at once with the adoration of his country, and the displeasure of her ministers. The history of nations is oftentimes a farce. What is the history of that nation that having, at the hazard of everything dear in a free constitution, obtained its mistress, banishes the champion, and commits the honour of the lady to the care of the ravisher? There was a time when the vault of liberty could hardly contain the flight of your pinion; some of you went forth like a giant rejoicing in his strength; and now you stand like elves, at the door of your own pandemonium. The armed youth of the country, like a thousand streams, thundered from a thousand hills, and filled the plain with the congregated waters, in whose mirror was seen, for a moment, the watery image of the British constitution; the waters subside, the torrents cease, the rill ripples within its own bed, and the boys and children of the village paddle in the brook.

Sir, whenever freedom shall be properly understood, depend upon it the gentlemen of this country will be ashamed of the condition they bear, and the questions they have made upon it. In the mean time, I can account for their patience; the Irish are accustomed to be trodden upon; uniformly, says Junius, has Ireland been plundered and oppressed. It is not so in England; defective in some particulars as the constitution of England may still be, yet, with all those defects, England has a constitution, and she has also maxims as well as laws to preserve it. They have not been blessed in England with a succession of lord-lieutenants' secretaries, whose sole occupation has been to debauch the political morality of the gentlemen of the island. No minister will venture to tell the gentlemen of England that they must be bought; no man will venture to say, that the best minister is he who buys parliament the cheapest. Men do sometimes desert and oppose their own party, but not themselves and their own list of measures. A man does not in England publicly cross the house to reverse every part of his conduct, and then hold out his little paw to the minister like a penny boy. There was, indeed, one man in England

supposed to have done so; but he was in England a prodigy; let me add, he had been Irish secretary in Ireland.

The people of this country supposed that England acceded to their liberties, and they were right; but the present ministry have sent the curse after that blessing. Hear the curse! You have got rid of the British Parliament, but we will buy the Irish; you have shaken off our final judicature, but we will sell yours; you have got your free trade, but we will make your own parliament suffer our monopolists in one quarter of the globe to exclude you; and you shall remain content with the right, destitute of the possession.

Your corporate rights shall be attacked, and you shall not stir; the freedom of your press and the personal freedom of the subject shall be outraged, and you shall not arraign: your city shall be put under contribution to corrupt its magistracy, and pay a guard to neglect and insult her; the seats of justice shall be purchased by personal servitude, and the qualification of your judges shall be to have borne their suffrage and testimony against the people. Taxes shall be drawn from the poor, by various artifices, to buy the rich; your bills, like your people, shall be sold; you shall see the genius of your country neglected, her patriotism dismissed from commission, and the old enemies of your constitution made the rulers of the realm.

CATHOLIC QUESTION.

22nd February, 1793.

On the 4th of February, Mr. Hobart had obtained leave to bring in a bill for the further relief of the Roman Catholics: the bill was presented and read a first time on the 18th, and ordered to be read a second time on this day; and when the order of the day for the second reading was moved for, Mr. George Knox said, that from the moment he felt political independence, he found the necessity of Catholic emancipation; the present bill did not admit the Catholics into the constitution; that the upper as well as the lower orders should be the objects for legislative liberality; and as the admission of ten or twenty Catholics into parliament would not, in his opinion, endanger the safety of the state, he would move, "That the Roman Catholics should be permitted to hold seats in parliament." Mr. Knox's motion being inconsistent with the order of proceeding, the bill was read a second time; and on the question that it be committed, it was warmly supported by the provost (Mr. Hutchinson), Mr. Forbes, Mr. Day (afterwards judge), Mr. Hobart, Mr. W. B. Ponsonby, Colonel Hutchinson, and Major Doyle; it was opposed by Mr. Richard Sheridan, Mr. George Ogle, Mr. David Latouche, and Dr. Duigenan.

Mr. GRATTAN said: I could wish the bill under your consideration had gone farther. I could wish that it had given the Roman Catholics the privileges of other dissenters. I am sure that is the only sound policy. I think, however, the bill deserves thanks, because it contains much, and also because it leads to much more; but I must say the mover had discovered more sense if he had given to the Catholics the whole now, and had settled with them for ever.

The situation of the Roman Catholics is reducible to four propositions; they are three-fourths of your people paying their proportion of near £2,000,000 of taxes, without any share in the representation or expenditure; they pay your church establishments without any retributions; they discharge the active and laborious offices of life, manufacture, husbandry, and commerce, without those franchises which are annexed to the fruits of industry, and they replenish your armies and navies, without commission, rank, or reward. Under these circumstances, and under the further recommendation of total and entire political separation, from any foreign prince or pretender, they desire to be admitted to the franchise of the constitution; I have listened to your objections with great respect—give me leave to answer them.

The first objection I heard, is the petition of the Catholics to his Majesty; but, who is there that does not see the question to be, whether the Catholics are aggrieved, and not how those grievances have been stated by their committee? But even on the ground of the petition, if, as in a case of bill and answer, you choose to wrangle, you will find their petition is substantially true; it complains that the Catholic, by law, cannot carry arms: the law is so; it complains that the Catholics, on refusing to discover their arms, are liable to be whipped: that law is yet in force; and finally, it states, the great and radical grievance, that the Catholics are excluded from the franchises of the constitution; and about that complaint, there is no doubt; the petition therefore, cannot justify a refusal to administer redress, even if their redress depended on the manner of forming their petition. But the second objection goes on broader and bolder grounds, and insists on the demerits of the Catholics; it states, that the Catholics abhor all Protestants, and never were, nor are, nor ever will be, loyal subjects to a Protestant king; and it asserts in particular, that in every war, and in two rebellions since the Revolution, the Catholics have exerted themselves to the best of their power against their king and country, and have besides been guilty of various domestic insurrections. The last part of the objection scarcely deserves notice; it proposes that the Catholic inhabitants of thirty-two counties should be punished for the disturbances of six; it proposes that the offences of a local mob should

be visited on the community at large, and that the finite offences of that local mob should be punished by the eternal disfranchisement of the community; it makes the crimes of the man the pretext for the prosecution of the sect; it proceeds on a principle that would disfranchise every part of his Majesty's dominions where riots have existed, and almost every great city, the city of London in particular; it proceeds on a principle which argues from the particular to the universal, and which in logic is false reasoning, and in politics is a departure from the principles, not of reason only, but of justice, of humanity, and of charity.

This last part of the objection, I say, scarcely requires an answer; the first does; it states, that after the articles of Limerick, the Catholic troops rejected General Ginkle's offer, and almost to a man went to the enemy. This is not history; the fact is otherwise; it has been made to appear already by my honourable friend from undoubted authority, that nineteen regiments of the Catholic army at that time joined King William. The objection proceeds to another misrepresentation, and states that the Irish brigade is constantly recruited and officered from Ireland. The fact is not so. Here again the objection, in matter of fact, totally and notoriously fails. The Irish brigade is not constantly recruited and officered from Ireland; but, on the contrary, few of its officers, and very few of its men are recruited from Ireland. Gentlemen will distinguish between officers of Irish families and of Irish birth, and they will distinguish also between a regiment bearing an Irish name, and a regiment filled with Irishmen. The first is the case of the Irish brigade, and the latter is not; and for the refutation of this part of the objection, I appeal to the knowledge and the candour of gentlemen who have seen service, and who must know the charge, that the Irish brigade is constantly officered and recruited from Ireland, to be absolutely destitute of foundation. The objection proceeds and states that sixteen thousand Irish Catholics fought against Great Britain in the American war. I believe the number of those Irish to be greatly magnified; and sure I am that this description is not just; those Irish were in great numbers Presbyterians of the north, not Catholics of the south; they emigrated in great bodies, and they continue now to emigrate to America from the north of Ireland, not for rebellion, but for land, or a better condition. Your fellow-subjects have emig---ed from poverty at home, and sometimes have met war; and if you wis- never to meet them in arms in other countries, your method should be -o give them a better condition at home. The objection proceeds, and states, that great bodies of Irish fought against England at St. Eust- ia and St. Lucia; here again the objection fails

in point of fact; great bodies of Irishmen did not fight against England at St. Eustatia and St. Lucia. There was indeed a regiment of eighteen hundred, commanded by General Dillon, the Irish brigade; and this, I suppose, the objector conceives to be those great bodies of Irishmen; but that regiment was chiefly composed of Dutch, and of the recruits of various nations, of very few Irish; and here again I appeal to the gentlemen on the service, whether this part of the objection is not, like the other parts, entirely unfounded. The objection proceeds and states, that the Irish Catholics supply the fleets and armies of the enemies in a much greater proportion than those of Great Britain; this I must positively deny; they supply the fleets and armies of the enemy in a very trifling proportion; and they supply the fleets and armies of Great Britain in a very great and abundant proportion. In the last war, of 80,000 seamen, 50,000 were Irish names; in Chelsea, near one-third of the pensioners were Irish names; in some of the men-of-war almost the whole compliment of men were Irish. With respect to the recruiting service, it is a fact known to the gentlemen of the army, that since they have recruited for the foot in Ireland, the regiments have been filled in a great proportion with Irish Catholics. I do not mean to say, that the Irish Catholics have supplied his Majesty's fleets and armies abundantly; but so abundantly, and in so great a proportion, that the recruiting service could not well go on without them. I appeal again to gentlemen who have seen service, to their knowledge in this particular, and their candour; and I affirm, that this part of the objection, like the other parts, has no foundation whatsoever. The objection proceeds and states, that some of the Protestants are nearly as criminal as the Papists; these Protestants are the persons who took a part for the emancipation of Ireland, and the objection complains that some of their measures were passed into laws; those measures were the emancipation of the country in 1782, and those ill-affected men were the parliament, that is, the King, Lords, and Commons, that passed those acts of emancipation; the objection compares the persons concerned therein to the Catholic rebels before the Revolution; and at the same time it represents the Catholics since the Revolution, as well as before, as disaffected: here is the division under which this objection describes his Majesty's subjects; all the Catholics disloyal, and all the Protestants who lately took part for the emancipation of Ireland, viz. the King, Lords, and Commo-
loyal likewise, more disloyal than the Catholics since the R
and very like those Catholics who, before the Revol-
cuted for rebellion. Thus the objection ends in
and feeble infatuation; a proof how bigotry will

of the mind, impair its principles, banish the virtues of the citizen, and the charity of the Christian.

The next objection is, that the Roman Catholics now have every thing short of political power; to which I must observe, that the objection proves two things, an ignorance of the nature of liberty, and the situation of the Catholic; civil and political liberty depend on political power; the community that has no share whatsoever directly or indirectly in political power, has no security for its political or civil liberty. The example of the Catholic is a proof; what deprived him of his civil rights for this century, but the want of political rights, the want of right of representation? What deprived him of the rights of education, of self-defence?—a parliament in which he had no effectual, though for a time, he had a nominal representation. Such a parliament may take away his wife; it did so: such a parliament may bastardise his issue; it did so: such a parliament may enter into his domestic economy, and set on his children to defy the father; it did so. Where then is the utility of attempting to convince the Catholic that he may have in security civil liberty, without any share of political powers, when his present situation is an experimental refutation of that fallacious sophistry, and a proof that no community can long enjoy civil liberty under laws that have excluded them from all share of political power? or, in other words, that no community have a security for civil liberty, when that liberty may be taken away by any body where they have no authority. But it is supposed, the Catholics have civil liberty; certainly they have not; they have not free and unfettered the rights of education; they have not the full benefit of trial by jury, for they are excluded from petty juries, in some cases, and from grand juries in almost all; and they have not the rights of self-defence, for they cannot carry arms. No man means to say that a license to an individual, at the arbitrary will of a privy council, to carry arms, is a substitute for a right of self-defence; under the law, he is ever liable to be questioned on suspicion of having arms, and subject to an inquisition instituted against the principles of self-defence; he is liable to be whipped if he refuses to make discovery, for the law has not expired; and though his discovery is no evidence against him, yet his refusal is whipping. It is, therefore, trifling to say, that a person so circumstanced has even civil liberty, still less any security for its continuation.

But it is said, he is on the same ground as the enfranchised Protestant, denied, utterly denied;—Protestants having property, or the symbol of property, can very generally vote—franchise, that is, freedom of guilds or corporate towns is the symbol of property; but the

Protestant who has no property cannot complain that he has no vote; he is a non-proprietor, and, of course, is not affected by laws taking or regulating property; he is a passenger on your farm, or a guest in your house, and has no pretensions to the regulations thereof; but the Catholic who is a proprietor may complain, because his property is taxed and regulated without his consent. Mr. Byrne complains, he pays to the revenue near £100,000 annually, and has no vote. John Doe has no vote; but he pays nothing; there is no resemblance, therefore, between the enfranchised Protestant and disfranchised Catholic; or, if any, the resemblance is that between a man who is robbed, and a man who has nothing to be robbed of; the man, the profits of whose industry are taken without his consent, and the man who has no industry from whence profits could arise—the difference between a violation of the rights of nature, and none.

The Catholic proprietor appears indeed to be on a level with the Protestant beggar, but is not. The Protestant beggar is one of the community of the legislation, though not a sharer therein; he is of that tribe for whose benefit the laws are made. In this country there are two codes of laws; one for the Protestant sect, another for the Catholic. The legislature has a common interest with the one and against the other. The Protestant beggar has, therefore, an advantage over the Catholic proprietor.

It is objected, they are not fit for freedom. The elective franchise acts directly on men, not measures. Montesquieu, I need not remind you, observes, that the people are good judges of character, though not always of things. Do you think the Roman Catholics adequate to that? Is there a man in the House who has a name, of whose character they are not fully apprised, who has supported, who has opposed certain measures? The press has made every character a public subject; our conversations are known; our principles of action are very well known. As to the measures, can we suppose the Roman Catholics incapable of judging of them? They are not complicated; the measures of Ireland are domestic regulations.

The fact of their unfitness is not true; but if it were, if they are not rational enough to choose a man to serve in parliament, how criminal must you have been, who have governed them; and under whose government, for a century, they have not acquired the power to exercise their rational faculties? Your government (supposing the charges to be true, which I utterly deny), must have been more horrible than the worst of tyrannies; it must have done worse than take away property, life or limb; it must have brutalized your own species. But the truth is otherwise; they are not beast[redacted]tyrants.

I can collect from the charge some meaning, though I cannot collect your conclusion; I collect that the Catholics have lived apart from you, and therefore you are inclined to think them an inferior species; and perhaps, though they do not labour under a mortal incapacity, yet, from the separation of societies, they have not all your advantages.—What then is the evil? The separation. What the cause? The laws. What is the remedy? The repeal of the laws.

The objections at last take the turn of self-defence, and urge that, if you give the elective franchise, you give away the power. No; you gain it; for at present you have it not—the event will be the reverse of your apprehension. The Protestant would not give away the elective franchise; he would get it. The Protestant individual is now a monopolist against a Protestant people. The oligarchy, with the crown, has the boroughs; the aristocracy has a great portion of the counties. This they call a Protestant ascendancy; but this is a monopoly against a Protestant people. Some of the Protestants have understood it rightly; they have seen that the essence of the elective franchise is in its extent; that confined, it is the trade of the individual; and, in order to take it back from the individual, and restore it to the Protestant people, it is necessary to multiply the electors, for yeomen in numbers cannot become property; the borough may; the borough patrons, of whatever religion, will be an aristocracy; the electors, of whatever religion, will be a people. On elections there are three parties, the minister, the aristocracy, and the people. You have thrown out of the scale of the latter a great portion of your own weight, and therefore you are light; restore that portion to the scale of the people, and you will recover that gravity: the effect, therefore, of this participation will be to restore to the Protestant people their elective authority. As an example of your weakness, the whole power of the elective franchise has not created, in the Protestant body, a Protestant ascendancy; far from it; the Protestant electors have not been able to carry a single point for these last ten years, nor any point for these last twenty years, except in 1779 and 1782, when there was other strength to assist your cause, and with it the cordial and active support of the Catholic community. As the church of England's electors have acquired strength, by communicating the franchise to the Presbyterians, so Protestants and Presbyterians acquire force, by communicating the franchise to the Catholics; and, on the same principle, on which the Protestant electors exclude the Catholics, so should that part of them, which is called the church of England, exclude the Presbyterians. The parliament, and its electors, would then preserve what they now depart from; unity of religion, and destroy unity of interest. In a few words,

this objection says, that, in order to preserve the power of a Protestant people, we should take precaution, that we may be no people at all. This objection is entirely blind to the present progress of things, and does not see that the tendency, if it is not to Deism, most undoubtedly it is not to Popery. This objection gives no credit to the operation of association, on the repeal of the penal code; it allows nothing for the growth of liberal opinion; it does not conceive the possibility of a political conformity; it cannot conceive one political attachment in society, whose members, as is the case of every society, entertain their different notions on subjects of religion. The objection, on the whole, is founded on this position, that two sects will retain the animosity of the provocation, after the provocation is removed. The objection goes farther; it says, that if the Catholics get the franchise, they will, at length, get such power in the House of Commons, as to repeal the act of settlement, reverse the outlawries, and subvert the Protestant church. With regard to the first, there would be a difficulty, somewhat approaching to an impossibility; for, if those outlawries were set aside, and the act repealed, the estates would remain exactly where they are. The title being now, by time, another operation would be necessary; the parliament should attaint every present proprietor; but that would not do; a further operation is necessary; the parliament should find out the lawful heir of the old proprietors, which, I apprehend, would be impossible; but, exclusive of the impossibility of the event, I will endeavour to give the imaginary fears of gentlemen other reasons. Before the Catholics could have power to repeal the act of settlement and reverse the outlawries, they must be the parliament; and before they become the parliament, they must be the landed proprietors of the kingdom. In that event, it is impossible to say what they will do; but it is obvious to say what they will not do; they will not change the state of landed property. In further answer, it is almost unnecessary to repeat, that there are no Catholics now making claim; that the Catholics have solemnly renounced it; that they desire you to propound your own terms of renunciation; that the number who could trace a claim, is next to nothing; and that the number of Catholics, interested in the present state of landed property, by mortgage, purchase, and otherwise, is the majority of the principal members of their community. But, though it is unnecessary to urge this now, yet there is another thing, which cannot be too strongly impressed on you; that, in the present state of Catholic depression, Protestant property is very much in danger.

Witness the funds, whose fall is a proof how much you are one in-

terest, and what a portion of that interest is the Catholics. Do you tremble at a visionary claim; and are you insensible and stupid to an existing diminution of your property, real or personal? The second objection is that the church establishment will be subverted. I see no reason why the church should be more in danger from the Catholics than from the Presbyterians, who, in Ireland, are the majority of the Protestants. If the church is in danger, it is from the times, not from the Catholics; and I know of nothing so likely to increase that danger, as an opposition on the part of the church to the liberty of three parts of the island. To insist on a system of taxation without representation, in order to secure a system of tithe, without consolation, would be to hazard both; but to shake the latter in a time of some speculation on the subject of church emoluments, the best policy is to make those emoluments reconcileable to other interests and passions.

I have considered the objections to Catholic freedom. I will now consider the code of Catholic depression. I will begin with the beginning, and where you should have begun;—with education. Respecting this part of the subject, your present laws are criminal on three grounds; they refuse a degree to the Catholic in the university, and establishing a separation at the time in which friendships and sympathies are formed, ordain a species of anti-fraternity by act of parliament, excluding him from the right of education in your university, they exclude him from the right of endowing an university for educating himself; that is, they impose ignorance by act of parliament, unless where they insure a third mischief—foreign education; from this original error the law advances to more.

They have permitted intermarriage as politic; but they have made it subject to the highest penalty (not only as impolitic, but as criminal); that association, which is the parent of every other, and leads directly to mass and mingle into one people, they have punished and deterred by disqualification. Thus they have ordained separation on propagation, and have gone to the origin of things, to sow the seed of mischief there. They have attempted to make two moulds for the human species, transmitting to posterity opposite characteristics of implacable weakness, and inveterate and malignant folly. They have introduced into the religion of the Christians the tyranny which disgraces the Gentoos, and which they also call religion; they have cut and carved the human species into distinct casts of perpetual incommunication, stopping the circulation of the human blood, in order to preserve his pride, his folly, and his imbecility. Did you find that nature suggested a hint to your laws, by stopping the pregnant consequences of such intermarriages, or by muling the issue of the first

degree, then I would allow that the consent of the mother and father, in one precise organization of faith, was essential to human propagation. But here the honesty of nature derides the madness of the statute, and the wisdom of your instinct corrects the folly of law. You have made a separation between the sects in an instance where an intercourse was rendered necessary, not only by your real interest, but your idle fears—because that marriage which you deterred, confounds those claims which you affect to tremble at, and blends Catholic pretensions with Protestant titles, while it makes Catholic numbers administer to Protestant population, and physically and politically would, if your state of mind admitted of benefit, do you service. Your late act seemed sensible of this, and therefore permitted the marriage, but permitted it under the penalty of disqualification; that is, the law authorises the act, and punishes it. The law has a glimmering sense of its own folly, and goes a little way, just as in cases where the mind has a sense of what is wrong, without a love of what is right. Your law establishes the principle of intermarriages, and then impeaches its own principle; it at once authorised and discredited; and to complete the folly of the act, the punishment you inflict is to fall exclusively on those of your own persuasion. The Roman Catholic husband is not punished for the intermarriage with a Protestant, but the Protestant husband is disqualified for the intermarriage with a Papist. If a Protestant adds Catholic claim and Catholic property to the Protestant community, he loses the rank of a citizen, and the community of which he is a member loses also a portion of its constitutional strength; and the number of Protestant electors, of whose paucity you complain, is rendered still less, by doing an act which you affect to encourage.—Thus, in every step of the progress, you yourselves are punished; you are punished as individuals, by disqualifications and as a free community, by diminution. In order to palliate your own disfranchisement to your own people, you are obliged to depreciate the value of franchise; in order to reconcile your permission to your penalty, and your penalty to your permission; you are obliged to aggravate the condition of intermarriage which you permit, and to depreciate the condition of freedom, which you affect to hold inestimable. Such unhappy effects are the result of an unascertained and ill-assured mind in the legislature that devises the law. Struggling with reason, and compromising with folly, it makes the law a monster—a permission with prohibition. Your law says, remove this inhuman and impolitic separation; unite, intermarry; the law adds, if you do, I will drive you out of the pale of the constitution! The motive to all these incon-

sistencies is as inconsistent and weak as the inconsistencies themselves.

We lay it down as a maxim of government, that the theology of the wife as well as the husband, is a subject of penal law, moral depravity is out of the question: her theology is what the state investigates, and yet she may be a Pagan as well as a profligate, but she must not be Christian of the Catholic communion; she may worship Jove, or Venus, or Mahomet—but Christ! if she worships him according to the Catholic ritual, she is supposed to entertain principles hostile to the state, and to poison—what?—the purity of her husband's politics in matters of elections! And lest he should vote for an improper Protestant, we strive, by the law, to make him a Papist; for we take away from him one great motive for continuing a Protestant, the right of citizenship. We send him from the society of the franchised Protestant; and, of course, force him into that of the Papist. Conceived in the same spirit of selfish folly is that part of the code which affects to regulate the medical art, rules of persecution, and so regulates that art, as to refuse any degree of professorship therein to three-fourths of the community. This is a combination against the sick, Protestant as well as Papist. How would you have exclaimed if any one had combined against your luxury, as you yourselves have combined against your health, and had said that no man should have a license to exercise the art of a cook, unless a Protestant? Suppose you had said no Englishman shall have a license, no Scotchman shall have a license; there are some who would not live to refuse unto their own countrymen the same privilege; if a man's life is attacked by a robber, the law has not said, let no man save him but a Protestant; but the law does say, if a man's life be attacked by disease, we authorise no man to save him but a Protestant; that is, we refuse to three-fourths of our countrymen a license to administer to the health of one another. Now the chance of medical ability is according (in the same place) to the number of persons who may furnish practitioners; by your restriction, that chance you decrease, and in the same proportion increase the chances of mortality; and this depredation on your healths you commit in the name of religion; you diminish the foundation of your liberty, and you attack the sources of your existence, the better to promote your power and ascendancy.

I know I shall be told that they practise in Ireland. There are instances, I allow, but it is under a license got in other countries. You have not prevented the practice under these restrictions, because that was too strong for your humanity; nor given the license, because

that was too strong for your prejudices; you of course have annexed to Catholic practitioners a clause of foreign education; you certainly do tolerate their practice, but under circumstances that amount to an entire discouragement, if not intoleration: no license to practice; of the five no one professorship; of all the places in hospitals, so necessary for experimental knowledge, not one; these chairs are made so many jobs for Protestant practitioners.

If Doctor Purcel saves the lives of his Majesty's Protestant subjects it is not our fault; we have given such sort of men no sort of encouragement in such practices; we allowed him no professorship, gave no license, no countenance; let him and his patients pay their vows to some other country. I have already dwelt upon the importance of the military profession. I have showed how constantly you connived at the breach of your own law. The question is not whether the Catholic shall serve in the army; but shall serve in the army only when you want him, and he gets nothing by it; as a common soldier, getting sixpence per day, it seems he is safe—as an officer, getting a livelihood, dangerous; that you should monopolize his blood and your own honours and emoluments, it is a condition too unequal to be lasting; they are fit to be entrusted with arms we say, therefore they may be soldiers; they are not fit to be entrusted with arms we say, therefore, they may not be officers; but the better order of Catholics we rely on, it is the lower order we suspect; therefore, the better may not, and the lower order may be received in our army. The extending this disqualification even to a prohibition, on their carrying arms, is another severity. Is it to say, we are afraid we have injured you too much, to suffer you to carry arms even for your own defence? It is a prohibition of conscious severity, useless, because constantly broken, and meritoriously departed from by yourselves, who arm Catholic servants against your own laws, as you arm Catholic soldiers against your enemies and against your law; which in this instance is your greatest enemy? A Protestant gentleman wants to go home late in the evening; that is a good reason for arming a Catholic against law; a Catholic farmer wants to preserve his life and property; that is no reason for arming him according to law; you use, in this particular, the laws as your sport, and the Papists as your property; they may arm as your servants and as your mercenaries, but not as citizens; thus by our connivance as individuals, and severity as legislators, are they encouraged to despise the laws, and to hate them. I have shown already, that this law, prohibitory on carrying arms, is not observed, and cannot be observed; what more can the state take away than the robber? Unless the penalty is made some-

thing more than the loss of property and life, men will carry arms to defend both.

That part of your code which disables the Roman Catholic from sitting on grand juries, except, and so forth, is like every other part, liable to great objections; it subjects three millions to be taxed without their consent by the grand jury, who are already taxed without their consent by the parliament, and is a second flagrant breach of the great charter. To the Catholic that charter is a grievance; it is light to a blind man. You tax three millions, not only for the state, but for every road presentment, robbery petition, illicit still, the abuse and extravagance of which grants is to you a complaint; the use as well as the abuse is to him a grievance. This is a great aggravation of public taxes; it is a home-felt tyrant, that brings to his door the little vexations and fretful tyranny of a superior, and makes him insignificant in his own farms, and under his own vine, and touches him in those lesser nerves where he is less mortal but extremely irritable; and here you subject him to where the partial distributions of justice in a tribunal tax him without his consent, and try him without his peers, where he has no peers, and his adversary may have votes; and as the oppression is great, so is the motive little; it is a monopoly of jobbing. You do not exclude him entirely from the petty jury, which is a function much more interesting to Protestant life and property, but which is trouble without county patronage or county power. As the object is monopoly, so, as usual, the pretext is religion; that exclusion which you impose in the case of juries, you impose in the case of magistracy; and though with less oppression, with as little pretence;—3,000,000 of your fellow-subjects are to have no share whatsoever in the execution of the law, no more than they have in the formation of it—over the whole extent of your country; and of 4,000,000 of people, you exclude 3,000,000 from the function of enforcing obedience to the law. As you have taken care that liberty, so have you taken care that law, shall have no very general extension in your island. You have here, as usual, punished the Protestant, the better to disable the influence of the Papist; and no Protestant married to a Papist can be a justice of peace. I have heard your reasons; a Catholic should not be a magistrate in Ireland, because the laws contain a code which is against him; that is, the law is his enemy; and yet we talk of the lawlessness of the common people, just as we talk of the blessings of our most excellent constitution, excluding them from any share in the law, or any participation in the constitution. What makes the subject love the law not the hangman? Pains and penalties may be the objects of terror, but not of

affection; he loves the law because he has a share in the formation and execution of it; the men who are reconciled to taxes are those who vote; and the men who are reconciled to penalties are those who enact them; and the men who are friends to a rigid execution of a law, is the community that furnishes juries to find bills, judges to sentence, and magistrates to execute. The relation in which the Protestant stands, makes him a party to the laws; the relation in which the Catholic stands, makes him the object of the law; not party. He is not a party to the law, and the law is a party against him; therefore the laws may be objects of his obedience not his affection. This, then, is their situation; and this situation explains the liberality of those who say, they offer them every thing except the privilege of becoming part of the state; every thing except a part of the electoral community; every thing except a part of the legislative community; every thing except a part of the judicial community; every thing except a part of the corporative community; every thing except a part of the executive community—that is, a species of excommunity, with privileges to acquire property for you to tax without their consent! Thus are the Catholics by the present code excluded from an interest in your laws; they are also excluded from communication with your persons; the society of marriage punished; the society of education forbidden; the society of civil employment forbidden; the society of military employment forbidden; the society of parliament forbidden; the society of election forbidden; the society of grand jury forbidden; the society of magistracy forbidden; there is no subject of public care, in which they can associate with the Protestant without breach of law, no subject of conversation, except foreign politics, foreign changes, and foreign revolutions!

We have declared, we hope to become one people; how? By these lines of circumvallation, erasing the natural geography of your country, and setting up parallels and circles of folly and superstition, from the marriage bed to the cradle, from cradle to college, and from college to the grave, are two nations that cannot by any public interest or business, or by any general call, save that of death, be brought together? There have been three policies observed with respect to the Catholics, the first was that of Cromwell,—extermination by operation of the sword! the second was that of Anne,—extermination by operation of the laws! and the third was your's—which allowed them a qualified existence! Though the two former were cruel, yet both were consistent. They both considered Papists as criminals, and exercised over them the right of conquest. They considered the Catholics as a body who were neither to have the power, nor pro-

perty, nor any public existence in your country. The laws of Ireland prevented them from acquiring property in land; and the usurpations of England prevented either them or the Protestants from acquiring any considerable property by commerce. But the third policy, much milder than either, is more extravagant than both—your policy. You allow them schools, seminaries, and colleges, but distinct from our own, and without funds; marriage, but marriage attended with pains and penalties; a free trade without franchise, and land without a vote. Let us discuss how far this policy is consistent with the interest of the constitution, the king or the British empire. I will suppose under your laws the Catholics purchased considerable tracts of land. The land so purchased is unrepresented. Just as the wealth of your country grows, the extent of your constitution contracts. I will suppose these men become a great commercial body; a great portion of commercial interest, as well as the landed, is unrepresented; and your constitution still more contracted. What a portion of the strength of the country must, in that event, be taxed, without the consent of its owners! Your constitution will be no longer a representation, either of property or population; so that the British constitution will be worked out of the island by operation of law. Who will answer for the patience of that strength, compounded of a great portion of wealth, as well as of numbers? Who will answer for the satisfaction of those proprietors? It is not life but the condition of living; the slave is not so likely to complain of the want of property, as the proprietor of the want of privilege. The human mind is progressive; the child does not look back to the parent that gave him being, nor the proprietor to the people that gave him the power of acquisition, but both look forward; the one to provide for the comforts of life, and the other to obtain all the privileges of property.

Your imperfect grants and comprehensive theories have given those aspiring thoughts, and let in that train of ideas which may hereafter greatly serve, or marvellously distract your country; you have already given to their minds the first principles of motion, and the laws of motion now must direct the machine.

The germ on the soul, like the child in the womb, or the seed in the earth, swell in their stated time to their destined proportions by virtue of their own laws, which we neither make nor control. Talk not in such cases of gratitude; rely on that gratitude which is founded on interest; such gratitude as governed yourselves from 1691, when you secured your property, to 1779, when you demanded your trade; and 1782, when you demanded your liberty, from a colony looking only to property, to a people looking to a free form of government;

from planters joining with the mother country against the Catholics, to a nation joining with the Catholics to exact of the mother country trade and freedom. Do I condemn you; such is the progress of nations; such the nature of man, and such is gratitude! Let me now consider how far this policy is consistent with the interest of his Majesty. It has been said, that under a Protestant monarch, the Catholic ought never have the elective franchise; thus gentlemen have attempted to annex the curse of Catholic slavery to the person of the King. They have gone a step farther, and have supposed the coronation oath goes against the present claims of the Catholics, and have thus represented the King as sworn against the liberties of his people. They have done this on a surmise, the statement of which would excite our scorn, if its consequence did not produce our apprehensions that men believing in the real presence cannot be well affected to the House of Hanover; they have urged this when the pretender was extinct, when the power of the Pope was extinct, and when the sting of Catholic faith was drawn; they have done this when a new enthusiasm had gone forth in the place of religion, much more adverse to kings than Popery, and infinitely more prevailing,—the spirit of republicanism. At such a time, they have chosen to make the Catholics outcasts of a Protestant monarchy, and leave them no option but a republic; such a policy and such argument tend to make Irish Catholics French republicans; they aid the cause of proselytism against the cause of kings; they would drive the Roman Catholics from the hustings, where they might vote without danger, and would send them to plant the tree of liberty on their own hills, where treason, foreign and domestic, may intrigue in a body kept vacant for all the floating poison of the times, to catch and propagate; a school for the discontents of both countries, and the foreign emissaries, who need not bring any other manifesto than your own code and your own resolutions.

I differ much from those who say that the Roman Catholic cannot, under a Protestant King, enjoy the franchises of the constitution; I should say directly the reverse; that under no government can the franchises of the constitution be communicated so effectually, and secured so permanently to all his Majesty's subjects, as under our present monarchical government. The time is come when every loyal subject should be free, and every free subject loyal. It is true, the Roman Catholics will now be your fellow-subjects, but not your subjects; they will be subjects of the king, and not the slaves of subjects, who stood, with regard to them, in the place of kings. Do you lament the change? I congratulate you upon it; the basha will not

command the cringe of the peasant's knee, but the king will command the strength of it. You appropriate this great body of men to the throne; you put the stamp of the king upon them, and serve the crown more by far than when you vote for his minister. Let me consider this policy in its relation to the British empire. Britain, you know, governs you no longer; it is not your religious arrangement that interests her, but your physical strength. You do not mean to say that the Catholics cannot be faithful in their connection with Great Britain. I appeal to those officers who served with them in the last war; their religion surely cannot now make them adverse; the Roman Catholic religion resembles much more the Church of England than the Church of France; their dissent cannot make them adverse. You say the Catholics are not as well disposed as the Protestants, because they are not descended from the English; many of them are; but nations have neither a parent's nor a child's affection; like the eagle, they dismiss their young and know them no longer. I know not whether the Roman Catholics are as well disposed to Great Britain as the Protestants are; but I am sure they are at least as well disposed as the Protestants would be, if they were deprived of civil and political advantages. If you doubt their disposition, do you dispose them better. You are trustees to preserve to Great Britain the physical force of the Catholics of Ireland, and nothing but you can forfeit it; not religion, not the Pope, not the Pretender, but your proscription, which argues that the franchise of the Catholic is incompatible with British connection, and of course teaches the Catholic to argue that the British connection is incompatible with Catholic liberty. Thus you would deprive Great Britain of her resources in recruiting army and navy; but you will supply their place; how? One million, after filling all the places in church and state, will spare the overplus of their numbers. You will borrow from the loom, and send the weaver of the north into the ranks. But this is a partial statement for you; instead of affording one million to Great Britain, you must borrow men from Great Britain to defend and garrison yourselves. Calculate then, that in persisting to disfranchise the Catholic, you make him adverse; three millions are to be put into the other scale, which would be a difference of six millions, that is nearly one-half of the whole empire. It follows from this, that your policy is prejudicial to the British empire as well as to the throne.

I have considered your situation and your arguments. A situation of extraordinary peril. Arguments of extraordinary weakness, of monopoly, of panic, of prejudice, of any thing but religion; arguments which, like the fabric they would sustain, cannot stand the

proof of any trial; nor the principles of morality, not those of religion, nor those of policy, nor those of constitution; neither the touch of time nor the revolutions of mankind; their tendency is to make freedom a monopoly, which is like an endeavour to make the air and the light a monopoly; their tendency is to make God a monopoly. I have heard of monopolies of salt, monopolies of rice, monopolies of corn, but here is a monopoly of the Almighty; and yet the persons who use these arguments are men of talents. Compare, compound, abstract; but, in this instance, the string of their madness, so strangely perplexed in the intellectual function, one should think God had smitten the intellect of the country, as well as her fortunes, with some distinguished imbecility. Suppose a will impeached for insanity, and it appeared in evidence that the testator had, in his capacity as a general officer, taken powder and ball from one half of his battalion, because they believed in the real presence, or, when sick, had refused to take a specific from Dr. Purcel, declaring he had confidence in his medicine, but had no faith in his sacrament; or had disinherited his own son because his son's wife did not understand theology; or had fallen on his knees to return thanks to God for his universal blessings, and then had risen up and dealt out imprecations on three-fourths of the people about him; or proclaimed that as long as a Protestant prince was on the throne, three-fourths of his subjects should be disfranchised. Would not that evidence, which is nothing more than a compound of your piety and your policy, if applied to the case of an individual, compel twelve honest men, on their oaths, to find a verdict of insanity?

I have read of a republic, where the whole business of life was neglected to give place to mathematical investigation. I can suppose a more extraordinary state, where the law excluded from serving the public three-fourths of the people, unless they would give a theological opinion touching an abstract point of divinity, and verify that opinion on oath. I have heard of Athens, that cruel republic, excluding so many of her own children from the rights of citizenship; but she had only the wisdom of Socrates and the light of Plato: she had not, like you, revelation to instruct her; besides she had not the press—she had not the benefits of your lesson. What lesson? that to a people it is not life, but the condition of living; and that to be bound without your own consent, was to be a slave; and, therefore, you were not satisfied in 1782 with the free exercise of your religion. However, I do not rely on your private productions. What are your public tracts, your repeated addresses to the King, the Speaker's annual speech to the throne? what are they, while the penal code remains, but so many dangerous and inflammatory publications, felicitating the Protestants

on the blessings of that constitution from whence three-fourths of your people are excluded; but, above all, that instrument, infinitely more incendiary than all Mr. Paine has written, that instrument which you annually vote; what is it but a challenge to rebellion? I mean a money bill, wherein you dispose of the money of 3,000,000 of the people without their consent. You do not stir, nor vote, nor speak, without suggesting to the Catholics some motive; either the provocation of your blessings, or the poison of your free principles; some motive, I say, which is fatal to that state of quietude wherein, during this age of discussion, you must enlay your people in order to give your government the chance of repose.

You are struggling with difficulties you imagine; you are mistaken; you are struggling with impossibilities. To enchain the mind, to case in the volatile essential soul, nor tower, nor dungeon, much less parliament, can be retentive of those fires kindled by yourselves in the breasts of your fellow-subjects. I would have you at this time distrust that religious vanity which tells you that these men are not fit for freedom; they have answered that vanity in a strain of oratory peculiar to the oppressed. It is the error of sects to value themselves more upon their differences than their religion; and in these differences, in which they forget the principles of their religions, they imagine they have discovered the mystery of salvation; and to this supposed discovery they have offered human sacrifices. What human sacrifices have we offered? the dearest; the liberties of our fellow-subjects. Distrust again that fallacious policy which tells you your power is advanced by their bondage; it is not your power, but your punishment; it is liberty without energy; you know it. It presents you with a monopoly; and the monopoly of others, not your own. It presents you with the image of a monster in a state where the heart gives no circulation and the limbs receive no life; a nominal representative, and a nominal people. Call not this your misfortune; it is your sentence; it is your execution. Never could the law of nature suffer one set of men to take away the liberty of another, and that of a numerous part of their people, without a diminution of their own strength and freedom. But, in making laws on the subject of religion, legislators forget mankind until their own distraction admonishes them of two truths; the one that there is a God; the other that there is a people. Never was it permitted to any nation; they may perplex their understandings with various apologies, but never was it long permitted to exclude from essential, from what they themselves have pronounced essential blessings, a great portion of themselves for periods of time, and for no reason, or, what is worse, for such reason as you have advanced.

Conquerors, or tyrants proceeding from conquerors, have scarcely ever for any length of time governed by those partial disabilities; but a people so to govern itself, or rather, under the name of government so to exclude itself, the industrious, the opulent, the useful; that part that feeds you with its industry, and supplies you with its taxes, weaves that you may wear, and ploughs that you may eat: to exclude a body so useful, so numerous, and that for ever; and, in the mean time, to tax them *ad libitum*, and occasionally to pledge their lives and fortunes! for what? For their disfranchisement. It cannot be done; continue it, and you expect from your laws what it were blasphemy to ask of your Maker. Such a policy always turns on the inventor, and bruises him under the stroke of the sceptre or the sword, or sinks him under accumulation of debt and loss of dominion. Need I go to instances? What was the case of Ireland, enslaved for a century, and withered and blasted with her Protestant ascendancy, like a shattered oak scathed on its hill by the fires of its own intolerance. What lost England America, but such a policy? An attempt to bind men by a parliament wherein they are not represented; such an attempt as some would now continue to practise on the Catholics, and involve England. What was it saved Ireland to England, but the contrary policy? I have seen these principles of liberty verified by yourselves. I have heard addresses from counties and cities here on the subject of the slave trade to Mr. Wilberforce, thanking him for his efforts to set free a distressed people; has your pity traversed leagues of sea to sit down by the black boy on the coast of Guinea; and have you forgot the man at home by your side, your brother? Come then, and by one great act cancel this code, and prepare your mind for that bright order of time which now seems to touch your condition. But I have tired you; suffer me to sit down, and thank you for your patient attention.

ANTI-JACOBIN WAR.

5th February, 1794.

On this day, Sir Laurence Parsons (afterwards Lord Rosse) moved, "That an humble address be presented to His Excellency the Lord-lieutenant, that he will be pleased to lay before His Majesty the humble desire of this House, that His Majesty will graciously condescend to order to be laid before this House copies of his declaration, together with copies of the several conventions and treaties with different powers which have been laid before the British Parliament, rela-

tive to the present war." The motion was seconded by Mr. William Tighe, and was supported by Mr. Sergeant Duquery, Mr. Curran, Mr. Egan, Dr. Browne, Mr. Robert Stewart (afterwards Lord Castlereagh), on the ground that the Irish Parliament, as a matter of right as well as duty and interest, was bound to investigate the causes of the war. The motion was opposed by the Chancellor of the Exchequer (Sir J. Parnell), Mr. Cooke, Mr. Barrington, Mr. G. Ponsonby, and Mr. Beresford.

Mr. GRATTAN said: Sir, however I may differ from gentlemen with whom I generally concur, I shall this night, consistent with the vote I gave on the first day of the session in favour of the war, resist the present measure. I do not doubt that the honourable gentlemen who introduced it had very proper motives. The motion before you, purports to be a motion for papers; but the declared object of its supporters is to condemn the war—that war which those gentlemen pledged themselves to support, and for which they now declare themselves determined to grant the army and the supply. On the ground, therefore, laid for this motion, by those who have supported the honourable baronet, I shall give it a direct negative, as tending to undermine your own proceedings, to retract your plighted sentiments, and to raise a mutiny against your own taxes. Such a proceeding would, in my mind, bear a colour of hesitation, unbecoming the honour of this country, and by such conduct Ireland would prove herself, instead of the best, the meanest ally of England. Some gentlemen, in support of the motion, have not indeed gone so far as to condemn the war, but have only desired to suspend their opinion until they receive the copies of the treaties, declarations, and conventions, from England; and in the meantime they declare themselves ready to vote the army and the supply for this very war, on which they declare they have formed no opinion whatever. I dwell not on the folly of such a proceeding; I tremble at the mischief. What! tell France (an invasion impending perhaps on one or both of these countries) that you have not made up your minds on the war; thus excite a diffidence on the part of Great Britain; teach France to consider Ireland as desponding, and induce her to intrigue with our people and attempt a descent upon our country; tell her, that you are waiting on a revolutionary-state opinion, until papers shall be sent from England, and a committee shall sit *flagrante bello*, and have made its report on the causes, considerations, and merits of this war. The period is said to be awful. If any thing could make it desperate, it would be such a condition. It would be a promulgation to the troops on the coast of France, that we were not decided to stand by England, and that this was the moment in which the suspense of our sentiments was to be determined, by some stroke from that country. Considering the prin-

ciple of this motion in reference to Great Britain, you told her in the opening of this session you would stand by her in this war. You tell her now by this motion that you beg leave to consider it, and have therefore called for papers in order to form a deliberate judgment on mature and late consideration. Is not this a retraction of your former opinion? Is not this chilling your own efforts? changing a positive pledge to support a war, into a languid disposition to inquire into its origin, while England remains, in the interim, in doubt, whether she can depend on you, whether you will not take the lead in the desertion, or, as has been the tendency of some speeches to-night, whether, while you affect to support her by your arms, you may not damn that support by your censure, and declare that you think France is in the right, though you support Great Britain.

As to your own people, see the effect of such a motion. You tax them for the war; you tell them at the same time, in this motion, that you have not as yet made up your mind upon the subject; you profess an utter ignorance of the justice and propriety of those taxes, and enable the people to tell you that they are taxed by parliament for a war, the grounds, justice, and necessity of which that parliament declares itself a stranger to, and is only now in a state of inquiry. Thus you arm your own people against your own taxes by your own authority. I want to know, say gentlemen, whether this war is to partition France, to exterminate its liberty, and to set up the old constitution? whether it is to be persevered in to the last drop of our blood, rather than treat with the existing government? and therefore I wish for treaties. What treaties?—treaties which can resolve none of those questions, which will leave these gentlemen as free as ever to rail at the war. This, put in common language, is this—we want to have repeated opportunities of considering this war, first, by the artificial question of calling for papers, and after, by objecting to the sufficiency of these papers, and by repeating the same question with the same insinuation against the war. And the best way of judging what use gentlemen will make of these papers, is by observing what use they have made of the motion for them—an attack by insinuation, or directly, on the wisdom, justice, or necessity of continuing the war. And the effects of such attacks, if often repeated, must be to raise murmurs against your taxes. But gentlemen, aware that they wanted subsidiary ground, have said, they call for these papers merely to show their power of calling for treaties. The answer to that is, that the right in the Irish Parliament to call for treaties, to inquire into the causes, considerations, and condition of a war, is admitted on every side, in the fullest, broadest, and most unequivocal manner; but when

the purpose for which these papers are called, comes out in debate, to be the retractation of an opinion already given, or of a support already promised, and put this moment to be voted, there the House will object to the motion for papers, not on the principle of right, but because it objects to the use which is to be made of them. The House will see that the motion for papers under these circumstances, is nothing more than an artificial motion to bring into debate objections against the war, and the argument founded on the right of this House to call for such, will then appear to be nothing more than an artificial argument, to interest the pride of this assembly in the abuse of an unquestionable privilege, which it proposed to abuse, in order to assert.

But, say gentlemen, we never had any treaties before us. You had the Spanish treaty laid before you, and must have every treaty laid before you, if you choose to call for it; but you will not call for any treaty merely for the purpose of retracting either a support which you have promised, or a sentiment which you have plighted. But are those gentlemen who call for treaties under pretence of information, ignorant, as they profess to be, of the state of the war? What treaty is necessary to inform them that France is sending an army to her coast, and meditates an invasion? In such a situation are they to appoint a committee of inquiry to investigate papers, or a committee of supply to vote the army? Do not they, as well as any one know, that the cause of the war is now lost in the consequence; and that the question, supposing it ever to have been a question, is not, whether England will partition France, but whether France will invade England. I would not on this question give a silent vote, but rather meet directly any unpopularity which might attend the support I mean to give government; and I am authorised by my honourable friend (Mr. Curran) to say, that on the subject of the war his sentiments coincide with mine.

The motion goes to excite commotion instead of unanimity; yet, in voting against it, I by no means bind myself not to inquire hereafter respecting the conduct and object of the war; but I consider the moment of going into the committee of supply a most improper one to institute such an inquiry.

The House divided on Sir Laurence Parsons' motion:—Ayes 9, Noes 128; Majority 119. Tellers for the Ayes, Sir Laurence Parsons and Mr. William Tighe. For the Noes, Mr. Marcus Beresford, and Colonel Arthur Wellesley (afterwards Duke of Wellington).

WHIG REFORM.

4th March, 1794.

Mr. GRATTAN said: The bill before you has been called a transfer of property. It is not so; the gentlemen who make the charge have not read the bill; it is not a transfer of the borough from A. to B. but from A. to all those who have the adjacent interests, landed or commercial, to all who have estates, freehold, or terms for a certain number of years (for they must be included), or have carried on a trade for a certain time within a circle of twenty-four miles. If any one man has all the lands and towns within that circle, he probably will influence the return; but such estates are scarcely to be found in this kingdom, and when they are found, they will have their influence under any reform, unless you choose to rob the proprietor in order to amend the representation; and, even in case of such estates, as in cases of great county interest, the return may be influenced, but it cannot be sold. This proprietary influence you may call the influence of the landlord on his tenants, but it is also the influence of the tenant on the landlord; also, instead of being as now the property of that person who is not a landlord, and whose best estate is his twelve burgesses; this boroughmonger it extinguishes and leads to a milder communication of manners, as well as diffusion of influence between landlord and tenant, with an additional temptation of residence to the former, and improvement to the latter. It is, in short, an open of 200 seats to property, to talents, and to both mixed, to be elected by the yeomanry and citizens.

We have in this plan committed no violence on the principles of the constitution, and scarcely any on its geography. We have added one member to the counties and to the three cities, because we think the landed interest is not proportionably represented, and the ministerial interest beyond all proportion represented; and we have extended the boundary of the borough, because we find in the old boundary nothing to represent. We have not extended the boundary to the whole of the county, because we would not extinguish or overbalance an integral part of the parliament,—the citizens and burgesses; and we have extended the line beyond the borough, to a line of twenty-four miles to encompass a mass of landed interest as long as land is productive, and commercial interest, if within twenty-four miles any commerce shall exist. As commerce shall within that district increase and flourish, its balance on the return will increase, and there will yet remain a great landed interest in the representation, even though com-

merce should within that district totally decline. Thus we have, as far as is practicable, provided against the effect of the fluctuation of property; we have not corrected oligarchy, as was erroneously objected to us, by oligarchy, but by aristocracy and democracy mixed. We have applied the principles of the English constitution to the state of Irish property, with a decisive advantage for the present, and with such growing advantages to the future, as must arise from the growth of commerce and the growing diffusion of riches. Weigh, then, the objections to the bill, and you will find they amount either to a depreciation of the principles of the British constitution in their application to Ireland, or to a demand for an agrarian law.

I do not say that this bill, in its present shape, is perfect. On the contrary, I should wish to propose considerable alterations; the franchise should be extended to termors for years, perhaps some others, the duration of parliament should be diminished, the powers of the corporation to make voters totally extinguished. After these amendments, I do not say the bill would be then an exact representation of the property of the country, or of the propertied part of the community; no, because that is impossible and that is unnecessary; no, but it would be a substantial representation of both; that is, it would answer all the political purposes of adequate representation; it would be *quod erat desideratum;* it would not be arithmetically equal, but it would be substantially and practically adequate; it would give to the mass of property, commercial and landed, instead of a fourth, the whole of the return of members to serve in Parliament, and with the mass of property it would give you the best chance for the mass of talents. But, says my right honourable friend,* why agitate the people now? We have not created, we have found the agitation of this subject, and therefore the question now is not whether we shall agitate or abandon this subject. And sure I am, that we should agitate the people much more by renouncing, than by pursuing their great object,—a more equal representation of the people. We should then leave them at large on this subject to their own despair, or to those desperate suggestions which every seditious bungler may propose, while the abuses of your representation, abandoned to such hands, make every quack a doctor, and every fool a philosopher. Sir, it is the excellence of our constitution that it contains in itself the seeds of its own reformation; and to this excellence I attribute its duration. Other countries have preserved abuses until they accumulated and were finally levelled but with the establishments themselves, by the

* Sir H. Langrishe.

deluge of anarchy, instead of being removed by refor
yourselves to a degree were sensible of this; and have m
in the executive and in the judicial branches, but in the rep
you however have made none; and without reforms in the
will have made none of any great effect in the former; for ... the present representation is reformed, your bench of justice, your executive power, your house of peers, will be from time to time, as they have been, contaminated, by sacrificing the first to the application of the boroughmonger; by modelling the second merely to gratify the same boroughmonger, and by the sale of the peerage for the boroughmonger, to the disgrace of one house, and the corruption of both. So strongly am I of this opinion, that I imagine with a reform in the abuse of representation, all the other abuses would be quelled; whereas without it, the reform of the other abuses will be but plausible and palliative. But, says the right honourable baronet, is not this reform a step to a succession of innovation? He goes farther; he says, Does it not lead to a personal representation? to which I directly answer, It leads from personal representation not to it; it ascertains representation to property, and to the propertied community; and whatever force, weight, influence, or authority both possess, unites them against the attempt in favour of personal representation.

Freeholders, leaseholders, and all resident trading interests, are now in the struggle of our parliamentary constitution spectators; they would then be *parties*. They now enjoy a power of returning one-fifth of the House, and therefore are little interested for it; and they may have a speculation on the interest that might arise to them on the throwing up that fifth, and dividing the whole with the population; therefore some of them may be parties against it, but if they had the whole of the return, they would then be the proprietors, and they would defend the parliamentary constitution against innovation, with the same zeal with which the oligarchy now defends his boroughs against reformation; but with this difference, that the existing parliamentary constitution would then be defended against innovation with the strength of all the property and all the propertied public; whereas it is now defended with the strength of about forty individuals, and about £200,000 rental; that is, without the strength of population or of property: and it is a decided proof of its weakness, that the boroughmongers could not now defend it without the influence of government; and a further proof of its weakness is the proposal of a plan of personal representation. Sir, could such a monster be offered as a proposal, that the persons who receive alms should vote the taxes, if there was not another monster much less misproportioned, but a monster notwith-

standing, in the existing constitution, where a few individuals, as little the property of the country as its population, vote those taxes? It follows from what I have said, that the best method of securing the parliamentary constitution is to embody in its support the mass of property, which will be generally found to include the mass of talents; and that the worst way of securing your parliamentary constitution is to rest it on oligarchy—oligarchy! that is a bad form of government; oligarchy! that is always a weak one.

But, says the right honourable baronet, France! Take warning from France. If France is to be a lesson, take the whole of that lesson; if her frantic convention is to be a monitress against the vices of a republic, let the causes which produced that convention, be an admonition against the abuses of monarchy. France would reform nothing until abuses accumulated, and government was swept away in a deluge; until an armed force redressed the state, and then, as will be generally the case, united on becoming the government. It was not a progress from reformation to innovation, but from one modification of a military government, that is, of one anarchy to another. In principle, therefore, the case of France does not apply; in policy still less; for sure I am, if there is an attempt to introduce the rebellious graces of a republic into these countries, the best precaution is to discountenance them by the sober attractions of a limited monarchy; and the worst precaution is to preserve all the abuses of the latter, to preengage men against the vices of the former.

On this principle, I conceive the enemies to the constitution are the extremes, the advocate for its abuses and the leveller of its establishments. The advocate for its abuses falsifies the origin of the Commons in order to support the defects in the representation. He states that the Commons were seldom called, and then only for subsidy, and this he calls the original purity of the English constitution. The period of its formation, as best ascertained, was the time of the Edwards; and in the reign of Edward I. there were about twenty-five parliaments; in the reign of Edward II. about eleven; and in that of Edward III. about seventy great councils or parliaments; and to these parliaments you find the Commons were summoned: therefore, it is ignorant to say that the Commons were seldom summoned, and it is no less ignorance to say they were only summoned for money; for you will, in the different parliaments of those reigns, find the Commons occupied with the subjects of war, peace, and treaty, the regulation of the household, the regulation of the King's counsellors, the staple, the coinage, the price of provision, the conduct of ministers, and the making of laws.

And if authority was necessary to support history, you find in the reign of Richard II., the statute of heresy taken off the roll, because smuggled through parliament without the assent of the Commons. You find Blackstone express in declaring that the principle of the constitution of parliament as it now stands, was laid in the charter, and that it existed, in fact, ever since the reign of Henry III. You will find writs extant, and the purposes for which the Commons were called, viz. the *ardua regni*, not subsidy, expressed in those writs; and you will from the whole conclude, that this advocate for abuses has traduced the inheritance of the people; and that instead of being called seldom and then only for money, the Commons were, in the purity of the constitution, an essential part of the legislation; and you will also find that they were the representative of landed and commercial property. In tracing the errors of the patron of abuses, you arrive at the truths which have confused him. He had propably heard of a general and particular parliament, but had not learned to distinguish the purposes for which they were called; the general parliament being called for purposes affecting the realm, the particular, which is properly called a great council, for purposes affecting the order of men only, of which that council was composed. Probably the uncertainty of the writ of summons was another cause of his confusion, but he should have understood the reason, and then he would have learned that the writ followed the property, and when the borough was decayed was not directed thereunto. Thus, in the thirty-fourth of Edward I. you find a summons to parliament of one or two burgesses from each borough, as the boroughs should be found greater or less: why? because the representation had reference to the property and not to the name; because, though the Commons were an essential part of the parliament, the particular borough was not an essential part of the Commons; because in the origin of the constitution there was a principle of reform as well as of property, which principle was then very improperly exercised by act of prerogative, and which it is now very properly proposed should be exercised by act of legislation.

The advocate for abuses having falsified the origin of the Commons, proceeds to falsify their importance, and tells us that the security of the liberty of the people is placed in the aristocratic influence of their representatives, and the ignorance of his observation he applies not only to Ireland but to Great Britain. As the English Commons increased in aristocratic influence, says the patron of abuses, their liberties were best defended. It is not so; it is almost directly the contrary. If he meant by aristocratic influence, borough influence, he talks idly; and if he means wealth, he expresses himself improperly:

liberty was not best defended as the Commons became an aristocratic power, but as an aristocratic wealth and feudal principality were alienated, melted, and diffused among the Commons: not as the Commons ceased to be Commons, but as great men became Commons by alienation, and small men became such by commerce, as the Commons grew in wealth the better to combat that aristocratic influence, and not as they themselves became a part of that influence and ceased to be Commons. To the aristocratic power which the patron of abuse would set up as the bulwark of freedom, must we attribute the fall of freedom and the catastrophe of kings. To this must we attribute the Barons' war and five depositions, and to the diminution of that power are we to attribute the Bill of Rights and the Revolution, both carried in the Commons against the alterations and interpolations attempted by this aristocratic interposition and influence. It is true, though the power of the baron is gone, the influence of the borough patron remains; and therefore, though there is no civil war, there will continue to be faction. For wherever the powers of the constitution fall into the hands of an oligarchy, the Crown and the people must alternately capitulate; the one for his freedom, and the other for his prerogative; and if I were to come to any general conclusion on this part of the subject, it would be, that the disturbance of government has been the effect of this prevalence of oligarchy; and the freedom of the people the effect of its decline. Worse even than the abuses so defended, is a plan I have seen for their reformation—personal or individual representation.

The principle of such a plan is a complete, avowed, and unqualified departure from the vital and fundamental article of the British constitution in practice and in theory; and I must say, such an outset requires no small degree of mischievous and senseless temerity. With equal folly does this plan violate the dearest rights of man; for if there is one right of man entirely indisputable, it is that which gives to the individual in particular, and the community in general, the fruits of his and of their industry; thus the passenger through your field, or the labourer on your farm, has no right to make rules for the management of the same; nor have the aggregate of labourers or of non-proprietors a right to make rules or ordinances for the land, farms, or trade of the community.

This reasoning applies very strongly to the case of Ireland; because it appeared on the hearth-money survey of the last year, that those who were to be exempted from the hearth-money for want of property, were more than half of our inhabitants. It was, besides, insisted on by the objectors to reform, on the principle of property, that

such a principle excluded the majority; it follows that the plan which gives votes to all the inhabitants, and gives away to that majority the fruits of the industry of the community, gives away the estate of the landholder, the farm of the freeholder, the lease of the leaseholder, and the trade of the citizen, to be ordered and disposed of by a majority who are confessed to have neither estate, nor farm, nor lease, nor trade. That is the plan that robs the individual and the community of the fruits of their industry, and destroys the representation of property. Under the pretence of establishing a representation of existence, it destroys a principle which is real and sacred, to establish a conceit which is affected and nonsensical.

But it is not merely to those who have neither farm, freehold, nor trade, that this plan extends the right of voting; it gives the return of members to serve in parliament to all the common soldiers, to the resident army, horse, foot, and dragoons; to the police; to the scavenger. It goes farther; it gives that right to all hospitals, to almsmen, to Channel-row, and every beggarman in the kingdom of Ireland. It goes farther; it gives that right to every criminal; White-Boys that break laws, and Defenders who steal arms; and would thus present you with a representation of felons as well as of paupers. To such a monstrous constitution, whose frenzy, folly, and wickedness must excite at once your scorn and horror, the objection is not merely that such persons would be represented, but the persons (who have no property in land, lease, freehold, or trade) being confessedly the majority, it follows, under such a plan, that such persons alone would be represented, and that the land-holder, lease-holder, farmer, and tradesman, confessedly the minority, with their one vote only (this plan allows them no more), would not be represented at all; it follows that those who have nothing in land, lease, farm, or trade, would return the parliament; that is, those who have nothing in the common stock would make the laws, and the men who receive alms would vote the taxes. You held the Catholic to be a slave when his property was taxed, without his consent, by the Protestant. The plan of personal representation does away the franchise of the Catholic bill, and taxes both Protestant and Catholic without the consent of either, by introducing a new set of voters who shall outnumber both; a body who have not, with respect to you, like the Catholics, in property, a common, but have a distinct and opposite interest, and are not politically the same, but essentially different; a body who put nothing into the common stock, and are to take every thing out of it. Some of them are the objects of your charity, others the objects of your justice, and all of them now invited to become members of the govern-

ment—a plan which invests the beggar with the power of the state, and which robs the people of their influence in the constitution; which goes against the rights of man and the principles of the British constitution; which destroys all the counties; which takes away from every citizen and freeholder one vote by regulation, and extinguishes by the voice and votes of the multitude the effect of the other; and which by its direct and indirect operation, taken together, disfranchises all the property in the kingdom: with such electors as have none, and whose condition alone, however subdivided their multitude, would make an election a riot: with such an unqualified rout, the plan of personal representation becomes more alarming, by doubling the number of elections, and making the parliament annual—that is, by diminishing the franchise and doubling the confusion, afterward making that confusion eternal; so that instead of 150 elections once in eight years, we should have every year 300 riots.

Suppose a potwalloping borough without even the restraint of a potwalloping qualification; suppose an election, of which Swords gives you an orderly and tranquil image, multiplied into three hundred instances, and blazing out every year at the same moment in every part of the kingdom. Trade, industry, government, order, liberty, external consequence and internal repose, in short, young Ireland, what must be your lot? while the business of your legislation, your trade, and your agriculture stood still to give way to this universal canvass and universal disorder, to this permanent intoxication and riot.

To destroy the influence of landed property is the object of individual representation, but its immediate effect would be to extinguish the people. The rich might, for a time, make a struggle; they might in some places buy the mob, who, by such a plan, would be all electors; they might beset the hustings with their retainers, who, by such a plan, would all be electors; or they might purchase the votes of that great body of electors introduced by such a plan into the constitution—all the beggars in the neighbourhood! The minister, too (for the short time such a plan suffered king or minister), could, in the corrupt confusion of such elections, preserve some influence by the application of the treasury and the command of the army; he could have all the swords and votes of all the common soldiers. But the farmer and the citizen could have none of those advantages; and, indeed, what farmer or citizen would go to the husting of a medley of offenders met on a plan, where bayonets, bludgeons, and whiskey, elected the House of Commons? In the meantime, the respect which the landlord and candidate now pay to the farmer and to the citizen would be at an end; and instead of resorting to the farmer for his vote

and interest, the 'squire would go to the farmer's dung-yard and canvass the boys of his bawn, who would have more votes, though neither farm nor freehold. The consequence of the citizen would be at an end also; and, instead of going to his shop to ask the tradesman for his vote, the candidate would apply to the beggar on the bridge, or the scavenger in the kennel, or to the hospitals, or Channel-row, and those places where the poor are now wisely supplied with bread instead of being intoxicated with hand-bills, offering in the place of bread, the hopes of returning the parliament, and becoming a third constitutive part of the legislature.

Such would be the state of election under this plan of personal representation, which, from a revolution of power, would speedily lead to a revolution of property, and become a plan of plunder as well as a scene of confusion, for if you transfer the power of the state to those who have nothing in the country, they will afterward transfer the property and annex it once more to the power in their own persons. Give them your power and they will give themselves your property. Of such a representation as this plan would provide, the first ordinance would be robbery, accompanied with the circumstance incidental to robbery, murder. Such we have seen in France on a similar experiment. There were two models for those who undertook to reform the legislature—the principles of the British constitution with all its prosperity—the confusions of the French with all its massacres. Deliberately have the authors of the plan of personal representation preferred the latter! Their plan, at another time, had been only evidence of utter incapacity; at this, and with the circumstance of its most active circulation, it is a proof of the worst intentions: their plan is an elementary French constitution; as such I would resist it; as such, as long as there is spirit or common sense in the kingdom, we will all and for ever resist it; but though the perpetration of the design you may defy, yet the mischief of the attempt you must acknowledge. It has thrown back for the present the chance of any rational improvement in the representation of the people, and has betrayed a good reform to the hopes of a shabby insurrection. There are two characters equally enemies to the reform of parliament, and equally enemies to the government—the leveller of the constitution, and the friend of its abuses: they take different roads to arrive at the same end. The levellers propose to subvert the king and parliamentary constitution by a rank and unqualified democracy—the friends of its abuses propose to support the king and buy the parliament, and in the end to overset both, by a rank and an avowed corruption. They are both incendiaries; the one would destroy government to pay his court to

liberty; the other would destroy liberty to pay his court to government; but the liberty of the one would be confusion, and the government of the other would be pollution. Thus these opposite and bad characters would meet at last on the ground of their common mischief, the ruins of the best regulations that ever distinguished human wisdom, those that limit the power of the Crown, and those that restrain the impetuosity of the people.

Adverting to YOUR constitution with particular care, I find in its present defective state of representation, we have neither representation of property, nor of any proportion of property; it appeared that less than ninety, but, in fact, I believe about forty, individuals return a vast majority of the House of Commons. Of property it will be found that those persons who return that majority (it is, I believe, two-thirds) have not an annual income of £300,000, while they give and grant above £3,000,000—that is, the taxes they give are ten times, and the property they tax is infinitely greater than the property they represent. This constitution of disproportion—this representation of person, not property, of the persons of a few individuals, is less defensible when you look to its origin. I have heard of the antiquity of borough representation in Ireland—it is a gross and monstrous imposition; this borough representation is upstart, the greater part of which was created by James I. for the known and professed purpose of modelling parliament. Hear the account of that project in Ireland! Chief-Baron Gilbert says—"The constitution of boroughs did not arise from burgage-tenures as in England, but from concessions from the King to send members created in later times, when, by securing an interest in such towns, proper representatives to serve the turn of the court were sent to parliament." In Leland, you find them described as follows:—"A number of new boroughs, most of them inconsiderable, and many too poor to afford wages to representatives, must be entirely devoted to government, and must return its creatures and dependants; such an accession of power could not fail to encourage administration to pursue the dictates of its passions and resentments." The persons returned were—whom? clerks, attornies, and servants of the Lord Deputy; there is the sacred model!

But, say gentlemen, the boroughs have in their operation done prodigies! one great operation has been to tax the country at large for places and pensions for borough representatives. See how the constitution, by borough and not representation, worked previous to the Revolution: it scarcely worked at all. Of the last century near eighty-five years at different intervals passed without a parliament; from 1585 to 1612, that is, twenty-seven years, no parliament; from 1615

to 1634, nineteen years, no parliament; from 1648 to 1661, thirteen years, no parliament; from 1666 to 1692, that is twenty-six, no parliament. Before the Revolution, it thus appears, that with the rights and the name, Ireland had not the possession of a parliamentary constitution; and it will appear, since the Revolution, she had no constitutional parliament. From 1692 to 1768, near seventy years, almost two-thirds of a century, the tenure was during the life of the King; since that time of limitation of the term, there have been two reforms in the essence of parliament, but reforms which I shall distinguish from the constitutional reform desired in the bill, by the appellation of anti-reforms. The first anti-reform procured by the treasury, was the creation of a number of new parliamentary provisions, in the years 1769, 1770, and 1771, for the purpose of creating representatives of the minister to counteract and counterbalance the representatives of the aristocracy; this anti-reform or modelling of the legislature was emphatically described and authoritatively confessed by a memorable declaration and scandalous justification; and the government was said to have paid for defeating the aristocratic influence, a sum of half a million—a sum which would have bought fifty boroughs to be open to the people, and which the people were declared to have paid to procure a certain number of members in parliament to represent the minister.

The second period of anti-reform was in 1789, when the same sum was declared as likely to be expended for the same purpose, for the purpose of buying more representatives of the then minister to counteract the remaining strength of the representatives of the aristocracy; that is, when fifteen new parliamentary provisions were created to procure fifteen new ministerial representatives. Here is the other half million; and here are two anti-reforms, which have cost the nation as much as would buy one hundred boroughs, that is, all the boroughs; which (the fifteen new court representatives of 1789, being added to those of 1769, or about that period, and to the gradual additions since) make altogether from forty to fifty new additional representatives of administration, which is a number nearly equal to all the knights of the shire.

I have heard the word innovation. Would they who exclaim thus call forty additional members to the counties innovation, and forty additional members to the ministers none? Is the extent of the principle of representation to more county members innovation, and the subversion of that principle, in the instances I speak of, none? Is a fuller and fairer representation of property, on the principles of the constitution, innovation, and a fuller representation of the treasury

none? The question is not now, whether you will admit the idea of a reform of parliament, but, having admitted and submitted to innovation in the shape of abuse, whether you will not now counteract that abuse in the shape of reformation? Gentlemen speak of a fixed constitution. Sir, these boroughs are not a fixed constitution, but floating property; a provision for younger children; a payment for debts; and a mortgage on the treasury for the family of the proprietor; the question is, then, whether a property which is now at market, shall be bought by individuals or opened to the people? Whether the minister shall, from time to time, buy such portions of your constitution as shall secure him at all times a majority against the people; or a reform shall so control that influence, as to secure to the people the chance of a majority in their own House of Parliament?

When I say this is a question, I am in error; it can be no question, or, at least, this is the only assembly in which it could be a question. Let not gentlemen complain of stirring the subject, *they* stirred, *they* decided the subject; they who negotiated the half-million; they who created, in 1789, the memorable increase of court representation; they who confessed the half-million; and they who devised the sale of the peerage. We are only the advocates for a reform of parliament, but they are the evidence of its necessity; they do not draw that conclusion themselves; no, but they are the evidence that force the conclusion upon you.

Gentlemen have talked of innovation; have they considered the date of boroughs when they talk in this manner? Many of these boroughs were at first free boroughs, perhaps one-half of the whole was free by charter, and have been made close boroughs by its violation, and are in law extinct, and their members now sit in this House in face of the law of the land as well as the principles of the constitution. We moved to go last session into an examination, but gentlemen were afraid; we wish to go now into an examination, and if they will venture we have reason to think we can show you that many of those boroughs are dead in law, and their members sit here by intrusion.

We conclude this head by three observations: 1st, That in Ireland the erection of the majority of boroughs was with a view to subvert her parliamentary constitution. 2nd, That the use made of those boroughs since, by the sale of peerages, and by the procuring at each general election portions of the parliament, has tended to undermine that constitution. 3rd, That a great part of those boroughs have at this moment no existence in law. We, therefore, conclude, with Locke and Bolingbroke:

"Things of this world are in so constant a flux, that nothing re-

mains long in the same state; thus people, riches, trade, power, change their stations, flourishing mighty cities come to ruin, and prove in time neglected desolate corners; whilst other unfrequented places grow into populous countries, filled with wealth and inhabitants. But things not always changing equally, and private interest often keeping up customs and privileges when the reasons of them are ceased, it often comes to pass, that in governments where part of the legislative consists of representatives chosen by the people, that in tract of time this representation becomes very unequal and disproportionate to the reasons it was at first established upon. To what gross absurdities the following of custom, when reason has left it, may lead, we may be satisfied, when we see the bare name of a town, of which there remain not so much as the ruins, where scarce so much housing as a sheep-cot, or more inhabitants than a shepherd are to be found, sends as many representatives to the grand assembly of law-makers as a whole county, numerous in people, and powerful in riches; this strangers stand amazed at, and every one must confess needs a remedy."

Speaking of the Revolution, Lord Bolingbroke adds,

"If it had been such, with respect to the elections of members to serve in parliament, these elections might have been drawn back to the ancient principle on which they had been established; and the tale of property which was followed anciently, and was perverted by innumerable changes that length of time produced, might have been restored; by which the communities to whom the right of electing was trusted, as well as the qualification of the electors and the elected, might have been settled in proportion to the present state of things. Such a remedy might have wrought a radical cure to the evil that threatens our constitution; whereas it is much to be apprehended, even from experience, that all others are merely palliative; and yet the palliative must be employed, no doubt, till the specific can be procured."

ANTI-UNION SPEECHES.

15*th January*, 1800

Mr. Egan had just risen to speak, when Mr. Grattan entered the House, supported (in consequence of illness) by Mr. W. B. Ponsonby and Mr. Arthur Moore.* He took the oaths and his seat, and after Mr. Egan had concluded, in consequence of illness being obliged to speak sitting, he addressed the House as follows:—

Sir, The gentleman who spoke last but one (Mr. Fox) has spoken the pamphlet of the English minister—I answer that minister. He has published two celebrated productions, in both of which he declares his intolerance of the constitution of Ireland. He concurs with the men whom he has hanged, in thinking the constitution a grievance, and differs from them in the remedy only; they, proposing to substitute a republic, and he proposing to substitute the yoke of the British Parliament; the one turns rebel to the King, the minister a rebel to the constitution.

We have seen him inveigh against their projects, let us hear him in defence of his own; he denies in the face of the two nations a public fact registered and recorded; he disclaims the final adjustment of 1782, and he tells you that this final adjustment was no more than an incipient train of negotiation. The settlement of which I speak, consists of several parts, every part a record, establishing on the whole two grand positions. First, the admission of Ireland's claim to be legislated by no other parliament but that of Ireland. Secondly, the finality imposed upon the two nations, regarding all constitutional projects affecting each other. On the admission of that claim, the first tracts of this adjustment are two messages sent by His Majesty to the parliament of the different countries, to come to a final adjustment, in order to remove the discontents and jealousies of the Irish; the second, the answer of the Parliament of Ireland to His Majesty's message, declaring, among other causes of discontent and jealousy, one great, capital, principal, and fundamental cause, namely, the interposition of the Parliament of Great Britain in the legislative regulation of Ireland, accompanied with a solemn protest against that interposition,

* The reporters who have transmitted the account of the debates of the day, state, "Never was beheld a scene more solemn; an indescribable emotion seized the House and gallery, and every heart heaved in tributary pulsation to the name, the virtues, and the return to parliament of the founder of the constitution of 1782; the existence of which was then the subject of debate."

and with a claim of right on the part of Ireland; not of the Parliament of Ireland only, but of the people of the realm, whose ancient and unalienable inheritance, it was stated in that address to be—a perpetual exemption against the interference of the Parliament of Great Britain, or that of any other Parliament, save only the King, Lords, and Commons of Ireland. The third part of this adjustment was a resolution voted by the two British Houses of Parliament, in consequence of said address, transmitted by His Majesty for their consideration. There were two resolutions transmitted; the first, That the 6th of George I., containing the claim of interference by the British Parliament, should be repealed; the second, That the connection between the countries should be placed, by mutual consent, on a solid and permanent foundation; the third part of the covenant was, The address of the two Houses of the Irish Parliament, upon the consideration of these two resolutions; which address does, among other things, accept of the proposition contained in the first resolution, and does expressly reject the second; for it says, that we conceive the resolution for unqualified and unconditional repeal of the 6th of George I., to be a measure of consummate wisdom.

I drew that address, and I introduced those words expressly to exclude any subsequent qualifications or limitations, affecting to clog or restrain the operations of that repeal, and the plentitude of the legislative authority of the Irish Parliament. The address adds the clause of finality; for instance, that gratified in those particulars which it states, no "constitutional question between the two nations will any longer exist."

The next part was the measure adopted by the English Parliament upon the consideration of this address; and in that measure, they accede to that address entirely and unequivocally; they embrace our proposition of unconditional and unqualified repeal; and they accordingly introduce a bill for that purpose; and thus they close the final adjustment; our address, though no part of their resolutions, becoming part of their covenant; as their bill of repeal, though no part of our acts, became part of our treaty.

Another instrument in the transaction is, the address to His Excellency the Lord-lieutenant, touching the finality of this measure, in which are these words—"We have seen this great national arrangement established on a basis which secures and unites the interests of both kingdoms; the objects we have been labouring for have been accomplished."

The next is the declaration of the Irish government, touching the finality of that arrangement, "convince the people that every cause

of past jealousy and discontent is finally removed, and that both countries have pledged their good faith to each other, and that their best security will be their inviolable adherence to this compact."—There are two other parts which are material; the resolution of the Irish House of Commons, the 18th of June, declaring in substance, that the question was not now to be opened, and that the business was done, and in these words, that leave to bring in a bill of right was refused, because the right of legislation in the Irish Parliament in all cases, had been already asserted by Ireland, and fully, and finally, and irrevocably acknowledged by Great Britain.

The next instrument was an address to His Majesty, to beseech him to appoint a day of public thanksgiving, for the accomplishment of these great objects, as well as for his victories: thus it appears, that whatever idea might have been conceived in the second resolution of the 17th of May, 1782, it was totally and entirely abandoned.—The minister of that time probably intended to make the best bargain he could for England, and therefore conceived it eligible to condition and qualify the acknowledgment of the independency of the Irish Parliament, by certain provisions respecting navigation, &c.; but finding that the Irish Parliament would accept of nothing but the unqualified and unconditional repeal, he dropped the fruitless idea. I cannot presume to state his sentiments, but I can state that the Irish propositions of unqualified and unconditional repeal, rejecting the idea of further measures, was adopted in England by her Parliament, which embraced the Irish propositions of unqualified and unconditional repeal of the 6th of George I., and did repeal it accordingly without qualification, condition, or limitation.

I beg leave to mention two facts, which, though not recorded are not forgotten; the one is a declaration by Lord Lansdowne, then secretary of state, that the repeal by the 6th of George I., was the only measure he meant to propose; the other was a declaration by the representative of the Irish government, in the Irish House of Commons, made after our address of the 27th of May, that no measures were intended to be grounded on the second English resolution of May 17th. I remember the question to have been asked and so answered.

I think I have now shown, from the records quoted, that the argument of the minister is against the express letter, the evident meaning and honest sense of this final settlement, and I beg leave to repeat that finality was not only a part of the settlement, but one of its principal objects. The case is still stronger against him, finality was the principal object of his country, as legislative independency was the object of ours. Ireland wished to seize the moment of her strength for the

establishment of her liberties; the court of England wished to conclude the operations of that strength, and bind its progress. The one country wished to establish her liberty, the other to check the growth of demand; I say the growth of demand; it was the expression of the time. The court of England came, therefore, to an agreement with this country, viz. to establish for ever the free and independent existence of the Irish Parliament, and to preserve for ever the unity of empire. The former, by the above-mentioned adjustment, the latter, by the clause of finality to that adjustment annexed, and by precluding then, and at all times to come, the introduction of any further constitutional questions in either country, affecting the connection which was to rest under solemn covenant, inviolable, impregnable, and invincible to the intrigue, or ambition of either country, founded on the prudent, the profound, the liberal, and the eternal principle of unity of empire, and separation of parliament.

I might however waive all this, and yet the minister would get nothing; I might allow, contrary to common sense, that final adjustment, as proposed by His Majesty, means incipient negotiation. I will suppose, contrary to truth, to public faith, public honour, and common policy, that the councils of Great Britain at that time meant to leave the Irish constitution open to the encroachments of the British Parliament, and the British empire open to the encroachments of the Irish volunteer; that is, that she meant to expose the solidity of her empire, in order to cheat the Irish, first, of their opportunity, and afterwards of their constitution; and yet he has gained nothing by these preposterous concessions, because he must allow that the arrangement did proceed to certain articles of covenant, and the first article on the part of England excludes his Union, being the assent of the Parliament of Great Britain to the requisition of the people of Ireland, which was to be exempted in all times to come from the interference of British Parliaments, and to have established over them no other legislature whatever, save only that of the King, Lords, and Commons of Ireland. Admitting, then, the ridiculous idea of ulterior measures to follow final adjustment, a Union could not be one of them. It is hardly necessary to mention that he has been minister ever since that period; that during the whole of that time he never ventured to name Union, as one of those further measures; not in 1783, when a bill was brought in by the ministry; not in 1785, when he introduced his celebrated propositions, and stated the second resolution of the 17th of May, 1782, to comprehend, not the constitution but the commerce of both countries; not in the administration of 1785; not, in short, until he had reduced this country by a train of

calamitous measures, to religious divisions, to the condition of a conquest, such as she was when the Parliament of England, at the close of the last century, took away her trade, and in the middle of the present took away her constitution.

The minister proceeds; he impeaches the constitution of 1782; from disavowing an arrangement so adjusted at that time, and an adjustment so concluded, he advances, and calls that adjustment a miserable imperfection; after fifteen years' panegyric, and when he has a great army in Ireland, he has made that discovery, and instead of a constitution which established peace in Ireland, he revives a principle which produced war in America; namely, that two independent legislatures are incompatible. This was the language of Lord North's sword in the colonies; this is the language of Mr. Pitt's sword in Ireland; and this doctrine of imperial legislature which lost Great Britain, America, and which Great Britain surrendered to Ireland, takes once more its bloody station in the speeches of the minister, in defiance of faith, and in contempt of experience. It seems as a British Parliament is disposed to surrender its liberties to the court, the court is disposed to advance its domination over all the British connections; similarity of constitutions is no longer the bond of connection, all are to be swallowed up, according to this doctrine, in one imperial parliament, whose powers increase as the boundaries of the empire contract, and the spirit of her liberties declines.

"You abolished," says he, "one constitution, but you forgot to form another."* Indeed! What! does he mean that we should have demolished a usurpation, in order to mangle a constitution? Does he mean that we should have overset the tyranny of one parliament to mangle another? Does he mean that we should have taken away the usurped and tyrannical powers of the legislature of England, in order to restore those usurped and tyrannical powers to that very legislature? In what branches? His propositions have stated them; commerce, &c., the very branches in which they had been, by that very legislature, most oppressively and egregiously, obstinately, and transcendantly abused. Most certainly the conductors of that settlement on the part of Ireland, did not think proper so to restore the grievance of a foreign legislation, and so to limit the powers of a domestic one. The minister has given in his speech the reason. "All the great branches of trade (by which he must mean the linen trade, the plantation trade, and the import trade), are ascribed to the liberality of England, not to covenant." I deny it; but as

* Mr. Pitt's speech.

ministers may deny covenants, it seemed prudent to reserve the powers of parliament, and accordingly the Irish legislature retains full and ample resources, under the settlement of that time, to incline the councils of England to remember and observe her compacts with our country, should the British minister be disposed to forget them; thus the Parliament of Ireland can so regulate her intercourse with other countries for colonial produce, so regulate her right to an East India trade, and so adjust her channel trade, as to secure a preference in the English market for her linens, and for a direct intercourse with the British plantations. Was Ireland to retain those powers with a view to annoy? No; but she was to retain them, and to retain them, lest Great Britain, instigated by some minister, might be induced to exercise once more those very powers of annoyance with which now the right honourable gentleman threatens Ireland; in short, lest Great Britain should retain all her powers of molestation, and Ireland should surrender all her powers of retaliation. The classic minister must know, Tacitus has told him, that between the powerful and the impotent there can be no peace; the powers I speak of were powers of peace; they were powers of protection; they were the great reserves of the Irish Parliament, to secure the trade of Ireland and harmony of empire; the wisdom of the reserve, such a minister as he is, was born to establish. Strange ideas this minister entertains of the constitution of an Irish Parliament. It should be incompetent, it should be omnipotent; incompetent to regulate the commerce of the country, omnipotent to give away her constitution: it finds its omnipotence in his mind, when it abdicates its trust.

The minister proceeds: he specifies his objections to this settlement of 1782; the case of regency is one, and war another. Facts are against him in both. He states that it was accident alone, meaning the recovery of his Majesty, that preserved the identity of the executive power at the time of the regency; he mis-states that fact totally and entirely; it was not accident, viz. the recovery of the King that preserved the identity of the executive powers; that identity was preserved amply, carefully, and affectionately, by the determination of the Irish Parliament in choosing for their regent the heir apparent of the Crown, already designated and determined upon, though not in form invested by the Parliament of Great Britain. The Parliament of Ireland provided in that event not only for the preservation of the monarchical principle, but for the preservation of the connection likewise, and adhered to his country, though they did not link themselves to his party. The principle that came under the consideration of the Irish Parliament was threefold,—the principle of monarchy,

the principle of connection, and the principle of party. With regard to the two first, they concurred with the Parliament of England; they chose as regent the next in succession to the Crown, and they chose him after, and not before the Parliament of Great Britain had signified, with the minister at their head, their determination to appoint him, and in so doing *they* followed faithfully the spirit of the act of annexation of the crown, which forms between the two countries their bond and connection; but a bond and connection through the medium of monarchy; I am stating the spirit of that act. I say, the act of annexation, and so the bill of 1782, altering and amending the act of Poynings, and ordaining that Irish bills shall be sent to the King, look to the bond and connection of these islands through the medium of monarchy. A British republic never was in the contemplation of either; but an English monarchy, and no other form of government was present to the conceptions of both, either giving thereby the royal house, who are the monarchs of Ireland as well as of Great Britain, a double security, and the throne upon which they sit a double root. I say the Parliament of Ireland did adhere to the principles of British connection, and did unite with them the safe and the prescribed principles of monarchical government. They did concur with the Parliament of England in the choice of a regent, in the person of his Royal Highness the Prince of Wales. But with regard to the third principle, namely, the principle of party, they differed; the Parliament of England thinking proper to encumber the regent with extraordinary limitations, and that of Ireland judging it more eligible to leave him in full exercise of all the executive powers; it therefore rejected a motion of delay, knowing the object of that motion was to postpone the appointment until the then Lord Lieutenant of Ireland should have formed a formidable faction confederated against the future government. In short, the Parliament of Ireland did not think it proper to appoint a regent with less than regential power, and to constitute in opposition a minister with great portions of regal authority. Hence, perhaps, this Union; hence, perhaps, the visitation of calamitous government which has befallen Ireland ever since. One of the minister's instruments in this country has confessed it; he has said, in one of his speeches published by his authority, that all the misfortunes of this country sprung from that resentful period. But who is it that reproaches Ireland upon this subject, most injuriously and unjustly, with the crime of availing herself of the opportunity afforded by the most calamitous event that visited the health of our sovereign? it is that very minister who published that opportunity in the broadest and most unqualified resolution; who told the parliament of both countries,

that they were perfectly competent to supply, in that melancholy moment, the deficiency in the executive magistrate, by any method which they thought proper; that is, who told the British Houses they were competent to establish a temporary republic; and told the Irish Houses, of course, and by necessary inference, that they were competent to establish a temporary republic, and to accomplish a temporary separation; to have declined the opportunity is called the ambition of one parliament; to have proclaimed the opportunity, is called the moderation of the minister. His partizan in this country went further; he maintained the power of the British convention to bind Ireland:—

Ille impiger hausit
Spumantem pateram et pleno proluit se auro.

According to the two opinions, the two Houses of the British Parliament could overturn the British monarchy and Irish constitution.

The minister proceeds: he states a second instance, namely, that of war. Here, again, the fact is against him; the Parliament of Ireland have, ever since their emancipation, concurred with England on the subject of war; but they have concurred, with this remarkable difference, that, before their emancipation, their concurrence was barren, and since their emancipation, it has been productive. Immediately on the settlement of that emancipation in 1782, they voted a sum for British seamen, and on the apprehension of a war with Spain in 1790, they voted another; and in the present war, under Lord Fitzwilliam's administration, they voted a third; so much more beneficial are the wild offerings of liberty, than the squeezings, and eviscerations, and excruciations of power; but all this is lost upon the minister; fact and bounty make no impression on him; he has against both, a fallacious argument, and hungry speculation.

He thinks that he foresees that the Parliament of Ireland may dissent from that of Great Britain on the subject of war. He knows that peace and war are in the department of the King, not of the parliament; he knows that, on a proclamation by His Majesty, Ireland is in a state of war, of course, and without the assent of the Houses of Parliament; he knows that the supply of that war depends not on the Parliament of Ireland, but of Great Britain; and therefore the interference of the Parliament of Ireland on that subject is little more than the declaration of a sentiment; now, the declaration of a sentiment on such a subject is only valuable as it is the sentiment of the nation; and the concurrence of Ireland in British wars can only be the sentiment of the nation as the constitution of the nation; that is to say, the rights of Ireland, as claimed by herself, to be exempted

from the legislative authority of a British Parliament, are tendered, regarded, and protected by the British empire. It is not the Isle of Ceylon, the Cape of Good Hope, the Mysore country, nor the dominions of Tippoo, nor yet the feathers of her western wing, that engage the attention or interests of Ireland; it is her own freedom and constitution; it is our own idea of that internal freedom and constitution, not such as British ministers, who have invaded that constitution, shall hold forth; nor such as English nor Scotch metaphysicians, who made chains for America, and called them her constitution, and are ready now to cast links for Ireland; but that constitution which she herself, Ireland, feels, comprehends, venerates, and claims; such as she herself expressed in her convention at Dungannon, and through all her counties and cities, and in every description and association of people, and afterwards in full parliament claimed, carried, registered, and recorded; it is for the preservation of this constitution that she is interested in British wars. She considers the British empire a great western barrier against invasion from other countries; invasion on what? invasion on her liberties, on her rights and privileges; invasion on self-legislation, the parent and protectress of them all. She hears the ocean protesting against separation, but she hears the sea likewise protesting against Union; she follows, therefore, her physical destination, and obeys the dispensations of providence, when she protests, like that sea, against the two situations, both equally unnatural, separation and union.

On these principles, I suppose the dissent of Ireland, on the subject of war, highly improbable, as it is uninstanced; but I should attribute, like the minister, infallibility to those councils that engage their country in a war, should I suppose the dissent of Ireland on such a subject at all times to be fatal. Happy had it been for his Majesty, happy had it been for his glory and renown in all times to come, had not the Parliament of Ireland, in an American war, cursed him with her concurrence! What could the tutelary angel of England have done more, if that angel had been Minerva, and that Minerva sat in parliament? What! than to have advanced against the councils of that time the shield of her displeasure? Looking back to the wars in which Great Britain has been engaged, I should therefore suggest, that she is in less danger from the hesitation of Ireland, than from the precipitation of Great Britain. In this part of his argument, the minister is weak, but in his remedy is not only weak, but mischievous. He proposes, by taking away our powers of dissent, to withdraw our motive of concurrence, and, to secure our silence, forfeits our affection; he foresees an improbable event; of that event he greatly exaggerates the dangers,

and provides a remedy which makes that danger not only eminent, but deadly.

I will put this question to my country; I will suppose her at the bar, and I will ask her, will you fight for a Union as you would for a constitution? Will you fight for that Lords and that Commons, who, in the last century, took away your trade, and, in the present, your constitution, as for that King, Lords, and Commons, who have restored both? Well, the minister has destroyed this constitution; to destroy is easy; the edifices of the mind, like the fabrics of marble, require an age to build, but ask only minutes to precipitate; and, as the fall of both is an effort of no time, so neither is it a business of any strength; a pick-axe and a common labourer will do the one—a little lawyer, a little pimp, a wicked minister the other.

The constitution, which, with more or less violence, has been the inheritance of this country for six hundred years; that *modus tenendi parliamentum*, which lasted and outlasted of Plantagenet the wars; of Tudor the violence; and of Stuart the systematic falsehood; the condition of our connection; yes; the constitution he destroys is one of the pillars of the British empire; he may walk round it and round it, and the more he contemplates, the more must he admire it; such a one as had cost England of money, millions, and of blood a deluge—cheaply and nobly expended; whose restoration had cost Ireland her noblest efforts, and was the habitation of her loyalty; we are accustomed to behold the kings of these countries in the keeping of parliament; I say of her loyalty, as well as of her liberty, where she had hung up the sword of the volunteer, her temple of fame, as well as of freedom; where she had seated herself, as she vainly thought, in modest security and in a long repose.

I have done with the pile which the minister batters. I come to the Babel which he builds; and as he throws down without a principle, so does he construct without a foundation. This fabric he calls a Union, and to this his fabric, there are two striking objections: first, it is no Union; it is not an identification of people, for it excludes the Catholics; secondly, it is a consolidation of the Irish legislatures; that is to say, a merger of the Irish Parliament, and incurs every objection to a Union, without obtaining the only object which a Union professes: it is an extinction of the constitution, and an exclusion of the people. Well! he has overlooked the people as he has overlooked the sea. I say he excludes the Catholics, and he destroys their best chance of admission—the relative consequence. Thus he reasons, that hereafter, in a course of time (he does not say when), if they behave themselves (he does not say how), they may see their subjects

submitted to a course of discussion (he does not say with what result or determination); and as the ground for this inane period, in which he promises nothing, and in which, if he did promise much, at so remote a period he could perform nothing, unless he, like the evil he has accomplished, be immortal. For this inane sentence, in which he can scarcely be said to deceive the Catholic, or suffer the Catholic to deceive himself, he exhibits no other ground than the physical inanity of the Catholic body accomplished by a Union, which, as it destroys the relative importance of Ireland, so it destroys the relative proportion of the Catholic inhabitants, and thus they become admissible, because they cease to be anything. Hence, according to him, their brilliant expectation: "You were," say his advocates, and so imports his argument, "before the Union as three to one, you will be by the Union as one to four." Thus he founds their hopes of political power on the extinction of physical consequence, and makes the inanity of their body and the non-entity of their country, the pillars of their future ambition.

The Catholics of the city of Dublin have come forth in support of the constitution. I rejoice at it. They have answered their enemies by the best possible answer—by services. Such answer is more than refutation—it is triumph. The man who supports and preserves parliament, qualifies; the path of glory leads on to privilege; "enjoy with me, if you please; without me, if you be illiberal; but by me certainly; and at all events enjoy the parliamentary constitution of your country." This is to defend the tower, this to leap upon the wreck, this is to sit by the country in her sick bed; if she recover, there is a long and bright order of days before her, and the Catholics will have contributed to that event; if she perish, they will have done their utmost to save her; they will have done as an honest man ought in such an extreme case—they will have flung out their last setting glories, and sunk with their country.

The minister, by his first plans, as detailed by his advocates, not only banished the Catholics from parliament, but banished the Protestants from it likewise, for he banished them from a due representation therein; he struck off one-half of the county representatives, and preserved the proportion of boroughs as two to one; thus he disposed of the questions of Catholic emancipation and parliamentary reform, by getting rid of both for ever; thus did he build his first plan of Union upon the abuses both of church and state, and reformed neither; religious monopoly or borough monopoly, he continued to exclude the Catholic from parliament; and he continued to shut out both Protestant and Catholic from a due and effectual parliamentary represen-

tation. He shut out Protestant ascendancy as well as Catholic participation; and, in the place of both, constituted borough ascendancy in perpetual abuse and dominion. He reformed the British Parliament by nearly sixty Irish borough members; he reformed the Irish Parliament by 558 English and Scotch members; and, on this mutual misrepresentation, constituted an imperial legislature. There was no great effort of ability in all this; much felicity of mischief, no expenditure either of time or talent. There was nothing in the scheme which was grand, nothing which was deep, nothing which was comprehensive; he demolished an old institution at the same time that he preserved old abuses, and put himself at their head, and entailed them on posterity, like a common disorder, to be continued through what he calls a parental parliament. Such a plan was too desperate, as far as relates to the proportion of counties and boroughs. I understand it is in part abandoned, and well it may, because whether these representatives be in a greater or lesser proportion borough members, they will be the host of administration, and not the representatives of the people. He takes one hundred members, many of whom are removed by the nature of their election from the influence of representation, all of whom, by the removal from their country, are withdrawn from that of sympathy, from that of opinion. He changes the sphere, not only of their action, but of their character and of their sensations. How came the Irish Parliament, with all its borough members in 1779, to demand a free trade—in 1782, to demand a free constitution? Because it sat in Ireland; because they sat in their own country; and because, at that time they had a country; because, however influenced as many of its members were by places, however uninfluenced as many of its members were by popular representation, yet were they influenced by Irish sympathy. They did not like to meet every hour faces that look shame upon them; they did not like to stand in the sphere of their own infamy; thus they acted as the Irish absentee at the very same time did not act; they saved the country, because they lived in it, as the others abandoned the country because they lived out of it.

I will not say that one hundred Irish gentlemen will act ill, where any man would act well; but never was there a situation in which they had so much temptation to act ill, and so little to act well: great expense and consequent distresses; no support from the voice of an Irish public; no check; they will be in situation a sort of gentlemen of the empire; that is to say, gentlemen at large, absent from one country, and unelected by the other—suspended between both, and belonging to neither. The sagacious English Secretary of State has foretold this: "What advantage," says he, "will it be to the talents of Ireland, this opportunity in the British empire thus opened?" That

is what we dread. The market of St. Stephen opened to the individual, and the talents of the country, like its property, dragged from the kingdom of Ireland to be sold in London; these men, from their situation (man is the child of situation), their native honour may struggle; but from their situation, they will be adventurers of the most expensive kind; adventurers with pretensions, dressed and sold, as it were, in the shrouds and grave-clothes of the Irish Parliament, and playing for hire their tricks on her tomb, the only repository the minister will allow to an Irish constitution, the images of degradation, and the representatives of nothing.

Come, he has done much; he has destroyed one constitution; he has corrupted another; and this corrupted constitution he calls a parental representation. I congratulate the country on the new baptism of what was once called the representative body of the nation. Instead of the plain august language of the constitution, we are here saluted with the novel and barbaric phraseology of empire. With this change of name, we perceive a transfer of obligation, converting the duty of the delegate into the duty of the constituent, and the inheritance of the people into the inheritance of their trustees.

Well, this assembly, this Imperial Parliament, what are its elements? Irish absentees, who have forsaken their country, and a British Parliament that took away the constitution. Does he say that such a parliament will have no prejudices against Ireland? Let him look to his speeches; a capital understanding, a comprehensive knowledge, and a transcendant eloquence; hear him with all these powers speak on the subject of Ireland, whether it be the conduct of her administration, the character of her people, her commerce or her covenants, or her constitution; and he betrays an ignorance that would dishonour an idiot. Does he wish for further instances, let him look to the speeches of his agents in Ireland; speeches made and published for the palate and prejudices of the English court; what description of men have they not traduced, what patriotic achievement have they not deprecated, what honest character have they not belied? Does he look for further instances? let him turn to his catalogue; what notorious apostate whom he has not honoured? what impudent defamer of the rights and character of Ireland that he has not advanced? On the other hand, what man that made a stand for her liberties whom he has not dismissed? Mr. Fitzgerald, Sir John Parnell, who had supported his government long, refused to abandon their country and their honour, and were immediately told they were no longer fit for the service of government. Mr. Foster, who had supported his administration long, held up his shield for that parliament of which he is the natural advocate, and was immediately

honoured by the enmity of the court, and a personal attack on his character and consistency.

Lord Fitzwilliam, an Englishman, a friend to the war, a strenuous advocate for order and regular government, with a character that is purity itself, entertained for Ireland a fatal affection, and by that one offence cancelled all his long and splendid catalogue of virtues, and was dismissed accordingly.

A legislature, the parent of both countries, he talks of; a legislature, as far as relates to Ireland, free from the influēence of vicinity, of sympathy. The Isle of Man is all that (free from the influence of opinion, free from the influence of duty, directed by prejudices, and unencumbered by knowledge). In order to judge what this parental legislature would be, let us consider what the British Parliament has been, and let us compare that Parliament, for this purpose, with the legislature of Ireland; in this comparison I do not mean to approve of all the parliaments that have sat in Ireland: I left the former parliament, because I condemned its proceedings; but I argue not like the minister, from the misconduct of one parliament against the being of parliament itself. I value that parliamentary constitution by the average of its benefits; and I affirm, that the blessings procured by the Irish Parliament in the last twenty years, are greater than all the blessings afforded by British Parliaments to Ireland for the last century; greater even than the mischiefs inflicted on Ireland by British Parliaments; greater than all the blessings procured by those Parliaments for their own country within that period; within that time the legislatures of England lost an empire, and the legislature of Ireland recovered a constitution.

Well, we have done with this parental parliament; and now we come to the bribes which he holds out. And, first, he begins with the church. To the Protestant church he promises perpetual security; to the Catholic church his advocates promise eventual salary; and both hold out to the former commutation of tithes.

With respect to the Protestant church, whatever may be his wishes in favour of its duration, he takes the strongest measures to accomplish its destruction; for he attempts to disgrace it to all eternity. He is employing, or his agents are employing, several of its members to negotiate away the constitution, and to mendicate addresses transferring to another country the parliament and legislative power of their own; disfranchising the very people by whom the church is fed, and deserting the holy mission of God to fulfil this profligate mission of the minister. Give up your country, says the minister; give up your character, and be immortal. So said Charles the First to his church,

when he prostituted the Gospel, and regimented the clergy into battalion against the constitution, and overturned the church by its own infamy.

At the same time, that the minister endeavours to take away the authority of one church, his advocates tell you, that he proposes to give salaries to another; that is, they tell you that he proposes to bribe the Catholic clergy, if they will betray the constitution. In whatever form of religion our pious court contemplates the Almighty, it ever occurs to convert him to some diabolical purpose. The Catholics had been accused pretty liberally of disloyalty by those very advocates who now seem to think it is proper to reward their imputed treasons against the king, provided they shall be followed up by real treasons against the people. I do not believe, I never did believe, the general charges made against the Catholics; I do not dispute, I never did dispute the propriety of giving salaries to their clergy; but it should be salaries, not bribes—salaries for the exercise of their religious duty, and not wages for the practice of political apostacy. According to this plan, the Catholic religion, it would seem, disqualified its followers to receive the blessings of the constitution; but his hostilities to that constitution qualify him to receive a salary for the exercise of that very religion which is at once punished by civil disability, and encouraged by ecclesiastical provision; as good Catholics they are disqualified, and as bad citizens they are to be rewarded.

The minister proceeds: he proposes his third bribe, namely, the abolition of tithes. You observe, such a proposal does not seem to form part of his Union, but is an offer kept back to be regulated, modified, and qualified, when the Union is passed, and the consideration is given. I approve of a modus as a compensation for tithe, but I do not approve of it as a compensation for parliament; when I proposed that measure, and was opposed by men by whom I could only be opposed, and could not be answered, I was told by the king's ministers that commutation of tithe was the overthrow of the church. Couple then the project of the minister now, with the argument of his agents then, and the combined idea amounts to this, that it is prudent to overturn the church, provided at the same time you overturn the constitution; but the fact is, that the argument at that time was false, and the proposal at this time is fallacious; the argument had for its object personal calumny; and the proposal, national extinction.

The minister has not done with bribes; whatever economy he shows in argument, here he has been generous in the extreme. Parson, priest, (I think one of his advocates hints the Presbyterians) are not forgotten; and now the mercantile body are all to

be bribed, that all may be ruined. He holds out commercial benefits for political annihilation; he offers you an abundance of capital, but first he takes it away; he takes away a great portion of the landed capital of the country by the necessary operation of Union; he will give you, however, commercial capital in its place; but first he will give you taxes; it seems it is only necessary to break the barriers of liberty, and the tides of commerce will flow in of course; take away her rival in landed capital, and then commercial capital advances without fear. Commerce only wants weight; *i. e.* taxes, it seems, in order to run with new spirit. He not only finds commerce in the retreat of landed capital, but he finds corn also. His whole speech is a course of surprises; the growth of excision, the resource of incumbrance, and harvests sown and gathered by the absence of the proprietor of the soil and of their property. All these things are to come. When? He does not tell you. Where? He does not tell you; you take his word for all this. I have heard of a banker's bill of exchange, Bank of England's notes, Bank of Ireland's notes, but a prophet's promissory note is a new traffic; all he gets from Ireland is our solid loss; all he promises are visionary, distant, and prophetic advantages. He sees, I do not, British merchants and British capital sailing to the provinces of Connaught and Munster; there they settle great multitudes, themselves and families. He mentions not what description of manufactures: who from Birmingham; who from Manchester; no matter, he cares not; he goes on asserting, and asserting with great ease to himself, and without any obligation to fact. Imagination is the region in which he delights to disport; where he is to take away your parliament, where he is to take away your final judicature, where he is to take away your money, where he is to increase your taxes, where he is to get an Irish tribute, there he is a plain, direct, matter-of-fact man; but where he is to pay you for all this, there he is poetic and prophetic; no longer a financier, but an inspired accountant. Fancy gives him her wand, Amalthea takes him by the hand; Ceres is in her train.

The English capitalist, he thinks, will settle his family in the midst of those Irish Catholics, whom he does not think it safe to admit into parliament; as subjects, he thinks them dangerous; as a neighbouring multitude, safe. The English manufacturer will make this distinction; he will dread them as individuals, and confide in them as a body, and settle his family and his property in the midst of them; he will therefore, the minister supposes, leave his coal mines, leave his machinery, leave his comforts, leave his habits, conquer his prejudices, and come over to Ireland to meet his taxes, and miss his constitution. They did not do this when the taxes of Ireland were few; we were indeed

told they would, as we are now told. They did not do this when there was no military government in Ireland. However, as prejudices against the country increase, he supposes commercial confidence may increase likewise. There is no contradicting all this, because arguments which reason does not suggest, reason cannot remove; besides, the minister, in all this, does not argue, but foretel. Now you can scarcely answer a prophet; you can only disbelieve him; his arguments are false, but his inspiration may be true; appearances, however, are against them; for instance, a principal ground of complaint in Ireland is a misapplication of landed capital, or the diversion of it to other countries from the cultivation of Ireland, where great tracts remain either totally neglected, or superficially improved; where the tenantry have not capital, and the land can be reclaimed only by the employment (and a very rational employment it would be) of part of the rent arising therefrom, on the soil which produced it, improving however gradually since the establishment of our free constitution, which contains in itself the powers of checking the evil I speak of, and which, by adding to the consequence of the country, will naturally diminish the number of absentees, comparatively aided as it must be by the growth of English taxes, unless by a Union we adopt those taxes in Ireland. How does he remedy this disorder? He finds a great absentee draught; he gives you another; and having secured to you two complaints, he engages to cure both. Another principal cause of complaint, is another effect arising from the non-residence of Irish landlords, whose presence on their own estates is necessary for the succour, as well as the improvement of their tenantry; that the peasant may not perish for want of medicine, of cordial, and of cure, which they can only find in the administration of the landlord, who civilizes them, and regulates them in the capacity of a magistrate, while he husbands and covers them in that of a protector, improving not only them but himself by the exercise of his virtues, as well as the dispensation of his property, drawing together the two orders of society, the rich and poor, until each may administer to the other, and civilize, the one by giving, and the other by receiving; so that aristocracy and democracy may have a head and a body; so that the rich may bring on the poor, and the poor may strengthen the rich; and both contributing to the strength, order, and beauty of the state, may form that pillar of society, where all below is strength, and all above is grace. How does his plan accomplish this? He withdraws their landed gentlemen, and then improves Irish manners by English factors; but I leave his trifling, and come to his threats.

As he offered before a trade which he had not to give, so now he

menaces to withdraw a trade which he cannot take away; his threat is founded on a monstrous assertion, that our principal branches of commerce are due to the liberality of England.

Liberality of England to Irish commerce! Where are we to look for it? In what part of this century? For near one hundred years (it is a long time), the minister himself disclaims the illiberal policy of his country. Is it at the close of this century; for instance, in His Majesty's speech from the throne in the year 1775, where he is advised to signify his intention to maintain the principle of American taxation over all his dominions? Or is it in the embargo of the same period? Or is it in the tea tax imposed on Ireland by the British Parliament about the period of 1779? Or will he say this liberality appears in the mockery of those bills, in which England affected to relieve the distresses of Ireland? Was it in the English act, giving the Irish a power to catch whales, or in that other bill, permitting the Irish to plant tobacco? Or was it 1778, that this liberality made its appearance? No: for I remember, in that period, supporting an address for the extension of Irish commerce; and I remember also being opposed and defeated, by the immediate interposition of the Crown. It is not then in the period of 1778, that we are to look for this liberality? Was it in the period of 1779, the time of the short money bill, of the non-consumption agreement, and of the Irish requisition of free trade?

Here is the liberality of England; she was just then, she was liberal never; and she was just to you then, because you were then just to yourself; she has been faithful since; I shall be satisfied for one with her fidelity and justice, and on these occasions I acknowledge both. Are there any further instances in which we are to look for English justice in the subject of Irish trade? Yes; there is another, in 1793, on the subject of the re-export; an attempt had been made to carry that point for Ireland in 1786, contained in two resolutions which I moved as an amendment to the navigation act, which has been charged to Ireland as a favour, but which was in fact jobbed to the British ministry by him who made the charge, and sold without any clause of equality and reciprocality. But afterwards in 1793, a re-export bill passed in Great Britain in favour of Ireland, exactly at the time when the charter of the East India Company expired, and an Irish bill was necessary and did pass to secure her monopoly for a limited time: such is the history of British concession. Now look at the tariff, or see what has been the result; greatly in favour of England. Under the head of home manufacture and colonial produce, in favour of England; under the head of raw material the produce of

their respective countries, above two millions in favour of England. Under the head of foreign articles, a great balance in favour of England. Add to this an absentee rental of considerably above a million, and you will find there is a balance of a sum of above four millions annually, in which Ireland administers to Great Britain, and pours herself, as it were, abundantly, and without reserve into the British dominion.

This is the trade the minister threatens to alter, and thinks he threatens not Great Britain but Ireland. Here he will have some difficulty; and first, the covenant of 1779; he denies that covenant; he says, that all the great commercial advantages of Ireland are to be ascribed to the liberality of the British Parliament, and not to the Irish Parliament. Wherever he meets an Irish covenant he gives it no quarter. I will state the fact, and let the public judge. In October, 1779, an address passed the Irish Commons, containing a requisition for a free trade; it was followed by a motion declaring that the Irish Commons would not, for the present, grant new taxes; it was followed by a limitation of the act of supply to the duration of six months only. It was considered in England, and attended with resolutions moved by the then minister, purporting to repeal certain restrictive acts on the free trade of Ireland, and to grant a direct intercourse between Ireland and His Majesty's plantations, subject to equality of duty. These resolutions were considered in the Parliament of Ireland;* they were voted satisfactory. A long money bill was then passed, and new taxes were then granted in consideration thereof, and this he calls no covenant. He has denied, it seems, the linen covenant; he has denied this commercial covenant of 1779; and he has denied the constitutional covenant of 1782; and having disclaimed the obligation of three treaties, he now proposes a fourth, in which he desires you to give up your parliament to secure his faith in time to come. I argue in a different manner; I argue from his disposition to dispute the validity of covenant to the necessity of the existence of parliament—an Irish parliament—the guarantee of those covenants, who has power to preserve the obligation, or resources to retaliate. Does the minister, when he talks of an eleemosynary trade, recollect how the Irish Parliament could affect the East India Company, by discontinuing the act of 1793, granted but for a limited time? Does he recollect how she could affect the British West India monopoly, by withdrawing her exclusive consumption from the British plantations? Does he recollect how we could affect the navy of England, by regulations regarding

* See the resolutions and the law expressing the condition and covenant.

our Irish provisions? Does he recollect how we could affect her empire, by forming commercial intercourse with the rest of the world? But let not this depend upon idle threats, threats which never should have been advanced on one side, if they had not been first most imprudently introduced on his. I say, let not the argument rest on threats, but let it rest on the past experiment; the experiment has been made; we got our trade by our resources and our parliament; we will keep our trade by affection and by covenant. But should a British minister choose to despise those tenures, we have another; we can keep our trade by the means by which we have obtained it,—our parliament, our resources.

He speaks of the linen trade. On this subject, indeed, he has been answered, as he has upon the others, by the argument and by the experiment; the argument which proves that the bounty on linen was not granted for the sake of Ireland, and that Irish linen sells itself. But suppose his reasoning in this case to be as true as it is fallacious, what does it amount to? That his country robbed Ireland of her free trade in the last century, and gave her, in the place of it, the export of one solitary manufacture, depending on the charity of England; and now he proposes to rob Ireland of that manufacture, unless Ireland consents to be robbed of her parliament! He has no other ground of triumph but the disgrace and dishonour of his country; however, her case is better than he has stated it; and that is proved by the experiment; for in 1779, we were encountered by the same threats on the same subject; we despised those threats; we put the question to a trial; we entered into a non-consumption agreement; we demanded a free trade; the free trade we obtained; the linen trade we preserved.

What he cannot reconcile to your interest, he affects to reconcile to your honour. He, the minister, "his budget with corruption crammed," proposes to you to give up the ancient inheritance of your country; to proclaim an utter and blank incapacity, and to register this proclamation of incapacity in an act which inflicts on this ancient nation an eternal disability; and he accompanies these monstrous proposals by undisguised terror, and unqualified bribery, and this he calls no attack on the honour and dignity of the kingdom.

The thing he proposes to buy, is what cannot be sold—LIBERTY! For it, he has nothing to give; everything of value which you possess, you obtained under a free constitution; part with it, and you must be not only a slave but an idiot.

His propositions not only go to your dishonour, but they are built upon nothing else: he tells you, it is his main argument, that you are unfit to exercise a free constitution; and he affects to prove it by

the experiment. Jacobinism grows, says he, out of the very state and condition of Ireland. I have heard of parliament impeaching ministers; but here is a minister impeaching parliament; he does more—he impeaches the parliamentary constitution itself: the abuses in that constitution he has protected; it is only its being that he destroys; on what ground? Your exports since your emancipation, and under that parliamentary constitution, and in a great measure by that parliamentary constitution, have nearly doubled; commercially it has worked well. Your concord with England since the emancipation, as far as it relates to parliament on the subject of war, has been not only approved, but has been productive; imperially, therefore, it has worked well. What then does the minister in fact object to? That you have supported him; that you have concurred in his system; therefore he proposes to the people to abolish the parliament, and to continue the minister. He does more—he proposes to you to substitute the British Parliament in your place, to destroy the body that restored your liberties, and restore that body which destroyed them. Against such a proposition, were I expiring on the floor, I should beg to utter my last breath, and record my dying testimony.

5th February, 1800.

But the minister alleges that Jacobinism grows out of our situation; and that situation he explains to be our separate parliament; and he thinks that enough. An ancient constitution and a recorded covenant are to be put down by that sentence. It is no longer a question, you see, according to him, of right, or of treaty, but of convenience: expediency is to be the measure of both; and yet he will not say to England, Jacobinism grows out of a popular constitution, therefore strike out the people; his idea is a paradox; viz. that the spirit of democracy, which he means by Jacobinism, grows from the King, or the chamber of the Lords, or from the chamber of the Commons, in which aristocracy has no small share of power. In fact, his assertion is, that democracy grows out of monarchy and aristocracy, with certain popular mixture; that is, the excess grows out of the temperament; his instances are nothing; enough to say he thinks it. Jacobinism grows out of your constitution; and, therefore, down with the Lords, down with the Commons; hew down the chair in one house, and the throne in the other, and let huge innovation enter.

Never was it known in the English constitution that the excesses of the popular branch were made an argument for destroying any integral part of the constitution, still less the constitution itself. The

English cut off the head of Charles I.; was that made an argument, on the restoration, for putting down the popular branch of the English constitution? James II. put down liberty; was that made an argument afterwards for putting down monarchy? The Parliament of England, in the close of the present century, lost America at the expense of above an hundred millions of debt; was that made an argument for putting down parliament? Excesses committed by any one integral part of the constitution have never been urged as arguments for putting down that integral part, still less for putting down the whole; and, least of all, have excesses committed by the people been urged against the constitution itself, particularly where the constitution endeavoured to restrain those excesses. I should be glad to know how he composes this Jacobinism at which he trembles. I really believe he means to impose a military government, and that his Union imports nothing less; and that the tranquillity talked of is the mere result of that intention. But he professes the contrary: he professes similarity of privilege: of course, he must leave the press of Ireland, and the power of forming clubs and associations in Ireland, on the same ground as in Great Britain, where both exist. Thus he leaves, or professes to leave, the powers of agitation, and takes away the constitution of parliament, which is to keep them in order. He does more; he leaves a provincial government or an Irish court, without the control of a resident parliament; for the governments are not consolidated, though the parliaments are. He leaves that provincial court free from native control, and of course, with great powers of provocation and irritation, and the prospect of impunity. The ministers of Union will be the ministers of the country—a wise exchange—you keep your court, and banish your constitution.

You banish your constitutional and resident parliament, and, of course, the authority which is to restrain the abuse of power and the abuse of privilege, and this he calls a measure of tranquillity. He does more in favour of Jacobinism: he gives it a complete triumph over aristocracy. What is the claim or charge of democracy? That the upper orders are incapable to legislate for the country. You do not know the strength of your case, says the minister; you think you understand Jacobinism, but I will convince you you are mistaken; you do not know how to overset the higher order, leave it to me; I will get that higher order to echo your charge; I will propose a Union, wherein the higher order is to proclaim and register their own incapacity in the rolls of their own parliament. Thus, I think, as far as relates to tranquillity, his own plan is a refutation of his own argument; a false and fatal idea of public tranquillity I think it; to take

refuge from your own liberties in the domination of another country, and to surrender, as a pledge of peace, a constitution which you have stipulated to defend with your lives and fortunes. That constitution, I think I have shown to be adequate to the purpose of trade, and to be faithful to that of connection, but I do not think it adequate to the purpose of surrender. This introduces a new question, the competence of parliament to surrender the constitution. The project of Union appears to me to be nothing less than the surrender of the constitution. It reduces the Commons of Ireland to one-third, leaving the Parliament of England their present proportion; it reduces the Commons of Ireland, I say, to one-third; it transfers that third to another country, where it is merged and lost in the superior numbers of another parliament; he strikes off two-thirds, and makes the remaining English; those Irish members residing in England, will be nominally Irish representatives, but they will cease to be Irish men; they will find England the seat of their abode, of their action, of their character; and will find, therefore, the great principles of action, viz. sympathy and fame, influencing them no longer in favour of their own country; but propellant motives to forget Ireland; to look up to England, or rather the court of England, exclusively, for countenance, for advancement, and for honours, as the centre from which they circulate, and to which they tend.*

I therefore mention that the project of a Union is nothing less than to annul the Parliament of Ireland, or to transfer the legislative authority to the people of another country; to such an act the minister maintains the Irish Parliament to be competent, for, in substance, he maintains it to be omnipotent: I deny it; such an act in the parliament, without the authority of the people, is a breach of trust. Parliament is not the proprietor, but the trustee; and the people the proprietor, and not the property. Parliament is called to make laws, not to elect law-makers; it is a body in one branch of delegates, in no one branch of electors, assembled to exercise the functions of parliament, not to choose or substitute another parliament for the discharge of its own duty; it is a trustee, and like every trustee, without a power to transfer or hand over the trust; a miserable quibble it is to suppose, because delegated to make law, it has, therefore, a right to make a law to destroy its own law-making, or supersede its own delegation, precluded as it is by the essential nature of its trust from annulling

* Puffendorf says: When one commonwealth unites with another in such a manner that one keeps its government and states, and the subjects of the other change their country, and are taken into the rights and privileges of a foreign commonwealth, it is evident that one is swallowed up and lost in the other.

its own authority, and transferring the powers of its creator, the society, to another country; it is appointed for a limited time to exercise the legislative power for the use and benefit of Ireland, and therefore precluded from transferring, and transferring for ever, that legislative power to the people of another country; it is appointed, entrusted, created, and ordained, not only to exercise the legislative powers of the society, but also to preserve her rights, and, instead of abolishing them by surrendering them to another country, to return them at stated periods, unimpaired, undiminished, to the people from whom they received them. I state a principle on which the House of Commons is built, supported by authorities, if any authority be requisite. "The power of the legislative," says Mr. Locke, "being derived from the people by a positive voluntary grant and institution, can be no other than what that positive grant conveyed, which being only to make laws and not legislators, the legislative can have no power to transfer their authority of making laws, and placing it in other hands, the legislative neither must, nor can, transfer the power of making laws to any body else, or place it any where, but where the people have."—"The prince," says Grotius (speaking of princes that have the whole legislative power in themselves; the case is, however, stronger in our government), "cannot alienate or transfer his kingdom."—"He cannot," says Puffendorf, "transfer his subjects to be governed by a foreign power; the commonwealth itself has no power over its members other than what are granted and left by them, that first erected it; the moral or political body has not the same right over its members as the natural." Mr. Locke says, the delivery of a people into the subjection of a foreign power is a change of the legislative, and therefore a dissolution of the government; the legislative acts against the trust reposed in it, when it makes an arbitrary disposal of the lives and fortunes of the country, and he refers to Hooker, who is also authority on our side.

"The legislature," says Mr. Locke, "is not only supreme, but sacred and unalterable in the hands in which the community have placed it: though it be a supreme power in every commonwealth, yet it is not and cannot be arbitrary over the lives and fortunes of the people. It has not an absolute arbitrary power." But I have higher authority —that of the convention of England in 1688. That convention voted that there was an original contract between the nation and the government. It follows that the nation is the proprietor of that contract, and the parliament ministerial to fulfil the provisions of that contract, not to break it; to act within the frame of the constitution, and not to

dissolve it. Accordingly, in the trial of Sacheverel, you find the arguments of the Commons exactly on this principle.

Mr. Lechmere as follows :—" The nature of our constitution is that of a limited monarchy, wherein the supreme power is communicated and divided between Queen, Lords, and Commons, though the executive power and administration be wholly in the Crown. The terms of such a constitution do not only suppose but express an original contract between the Crown and the people, by which that supreme power was (by mutual consent, and not by accident) limited and lodged in more hands than one; and the uniform preservation of such a constitution for many ages without any fundamental change, demonstrates to your lordships the continuance of the same contract."

Sir Joseph Jekyl :—" Nothing is plainer than that the people have a right to the laws and the constitution. This right the nation hath asserted and recovered out of the hands of those who had dispossessed them of it at several times."

Mr. Bushel.—He says : " Indeed it is difficult to give limits to the mere abstract competence of the supreme power, but the limits of a moral competence, subjecting occasional will to permanent reason, and to the steady maxims of faith, justice, and fixed fundamental policy, are perfectly intelligible, and perfectly binding on those who exercise any authority under any name or under any title in the state. The House of Lords is not morally competent to dissolve itself, nor to abdicate, if it would, its portion of the legislature of the kingdom. By as strong, or a stronger reason, the House of Commons cannot renounce its share of authority. The engagement and *pact of society* which generally goes by the name of constitution, forbids such innovation and such surrender. The constituent parts of a state must hold their public faith with each other, and with all those who derive a serious interest under their engagement, as much as the whole state is bound to keep its faith with separate communities. Otherwise competence and power would be entirely confounded, and no law left but the will of a prevailing force."

" The collective body of the people," says Bolingbroke, " delegate, but do not give up; trust, but do not alienate their right and power. There is something which a parliament cannot do; a parliament cannot annul the constitution. The legislature is a supreme, but not an arbitrary power."

" The power of King, Lords, and Commons," says Junius, " is not an arbitrary power. They are the trustees, not the owners of the estate. The fee simple is in us; they cannot alienate, they cannot

waste. When we say the legislature is supreme, we swear that it is the highest power known to the constitution, that it is the highest in comparison with the other subordinate powers established by the laws. In this sense, the word supreme is relative, not absolute. The power of the legislature is limited, not only by the general rules of natural justice and the welfare of the community, but by the forms and principles of our particular constitution. If this doctrine be not true, we must admit that King, Lords, and Commons, have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the legislature and executive power in the same hands, and dissolve the constitution by an act of parliament: but I am persuaded you will not leave it to the choice of seven hundred persons, notoriously corrupted by the Crown, whether seven millions of their equals shall be freemen or slaves."

The latter part of this quotation will not apply to the Irish Parliament. But could we suppose the intrigues of a minister to be successful—could we suppose that, by intimidating some, bribing others, influencing all, he could procure in both houses of parliament a majority to annul the parliament itself, and transfer the legislative to another country, the judicial, the controling, the impeaching, and all the powers in that great denomination signified and comprehended—could we suppose that the minister purposes to buy the Irish Parliament, as his proposal to compensate the extinguished boroughs imports, and that he comes to offer £1,500,000 to buy up the Irish Parliament at the expense of the Irish people, who are to pay that million and a half for losing it. I say, could we suppose such a case, the question on that supposition propounded would be nothing more nor less than this—whether the individuals composing the legislative body have a right, for their own profit, to sell the parliament of the country? To affirm that they cannot, requires scarcely any other argument than the honest instinct of the human mind, the moral sense implanted in the heart of man, and the rudiments of right and wrong registered in every breast.

The English minister thinks otherwise; he pronounces the Irish Parliament absolute; he gives no reason; he who denied the power of France to alter her government, maintains the omnipotence of the Irish Parliament to annul her constitution; he, whose parliament protested against its competence, now affirms its omnipotence! He supports this false doctrine by the confusion and inapplication of his cases; he confounds the case of a parliament accepting of the legislative dominion of another country with the treachery of the parliament of that country, betraying, transferring, or selling that legislative

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Mr. Bushel.—He says : " Indeed it is difficult to give limits to the mere abstract competence of the supreme power, but the limits of a moral competence, subjecting occasional will to permanent reason, and to the steady maxims of faith, justice, and fixed fundamental policy, are perfectly intelligible, and perfectly binding on those who exercise any authority under any name or under any title in the state. The House of Lords is not morally competent to dissolve itself, nor to abdicate, if it would, its portion of the legislature of the kingdom. By as strong, or a stronger reason, the House of Commons cannot renounce its share of authority. The engagement and *pact of society* which generally goes by the name of constitution, forbids such innovation and such surrender. The constituent parts of a state must hold their public faith with each other, and with all those who derive a serious interest under their engagement, as much as the whole state is bound to keep its faith with separate communities. Otherwise competence and power would be entirely confounded, and no law left but the will of a prevailing force."

" The collective body of the people," says Bolingbroke, " delegate, but do not give up; trust, but do not alienate their right and power. There is something which a parliament cannot do; a parliament cannot annul the constitution. The legislature is a supreme, but not an arbitrary power."

" The power of King, Lords, and Commons," says Junius, " is not an arbitrary power. They are the trustees, not the owners of the estate. The fee simple is in us; they cannot alienate, they cannot

waste. When we say the legislature is supreme, we swear that it is the highest power known to the constitution, that it is the highest in comparison with the other subordinate powers established by the laws. In this sense, the word supreme is relative, not absolute. The power of the legislature is limited, not only by the general rules of natural justice and the welfare of the community, but by the forms and principles of our particular constitution. If this doctrine be not true, we must admit that King, Lords, and Commons, have no rule to direct their resolutions, but merely their own will and pleasure. They might unite the legislature and executive power in the same hands, and dissolve the constitution by an act of parliament: but I am persuaded you will not leave it to the choice of seven hundred persons, notoriously corrupted by the Crown, whether seven millions of their equals shall be freemen or slaves."

The latter part of this quotation will not apply to the Irish Parliament. But could we suppose the intrigues of a minister to be successful—could we suppose that, by intimidating some, bribing others, influencing all, he could procure in both houses of parliament a majority to annul the parliament itself, and transfer the legislative to another country, the judicial, the controling, the impeaching, and all the powers in that great denomination signified and comprehended—could we suppose that the minister purposes to buy the Irish Parliament, as his proposal to compensate the extinguished boroughs imports, and that he comes to offer £1,500,000 to buy up the Irish Parliament at the expense of the Irish people, who are to pay that million and a half for losing it. I say, could we suppose such a case, the question on that supposition propounded would be nothing more nor less than this—whether the individuals composing the legislative body have a right, for their own profit, to sell the parliament of the country? To affirm that they cannot, requires scarcely any other argument than the honest instinct of the human mind, the moral sense implanted in the heart of man, and the rudiments of right and wrong registered in every breast.

The English minister thinks otherwise; he pronounces the Irish Parliament absolute; he gives no reason; he who denied the power of France to alter her government, maintains the omnipotence of the Irish Parliament to annul her constitution; he, whose parliament protested against its competence, now affirms its omnipotence! He supports this false doctrine by the confusion and inapplication of his cases; he confounds the case of a parliament accepting of the legislative dominion of another country with the treachery of the parliament of that country, betraying, transferring, or selling that legislative

dissolve it. Accordingly, in the trial of Sacheverel, you find the arguments of the Commons exactly on this principle.

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power. What! does he mean to say that the Parliament of England is competent to transfer to Ireland the legislature of Great Britain? Does he mean to say that she is competent to reduce the number to an insignificant proportion, and transfer that part and the seat of legislation, that is the English legislation itself, to the French legislation at Paris; yet I believe, if the French council should choose to transfer the legislation of France to the Parliament of Westminster, England would scarcely hesitate on the subject of her own competency; the one is the competency of acquisition; the competency of diminution; the competency of aggrandisement: the other is the competency of treason; the competency of delinquency; the competency of abdication.

When he compares this case with the reform of parliament, he is equally feeble and fallacious: he argues that to restore the third estate to the Commons, to whom his friends argue it belongs, and to destroy, with that view, in a few individuals, the monopoly of popular franchise, to whom on no principle of constitution it can belong; that is, to revive the principle of representation, is tantamount to an act abolishing in substance and effect the representation itself, and annihilating the King, Lords, and Commons of this realm. He compares the pruning the tree, that it may bear fruit, to the taking it out of the earth, root and all. He does not confine himself to one instance of inapplication; the pages swarm with them. He proceeds to compare the case of the repeal of statute disabilities with an act imposing disability on the whole realm: he compares the act restoring the Catholic to the elective franchise, to an act disfranchising not a particular man, not a particular sect, but in substance and effect the whole kingdom. From the inapplication of his cases, he proceeds to the errors of his doctrine: there he says that absolute power of parliament is necessary for the repose of the state. He thinks that the state of society is best secured when there is a body always in existence competent to overturn, or sell her constitution. He thinks that the happiness of mankind is best promoted when a daring desperate minister (I know of no minister more daring or desperate) shall be able, by packing a parliament, to overturn the liberties of the people. He thinks their happiness worst preserved when the body competent to overturn them is not assembled; and when the body that is assembled has not the competency; and when both these secure the freedom and eternity of the society by the repose of her powers. For this doctrine, I say the minister has given no reasons; he has been equally sparing of his authorities. Had his friends done the same, they would have been more prudent.

They indeed have quoted Lord Somers as an authority, to prove

the power of parliament to surrender the legislative authority of one country to another, confounding the case of a surrender with the case of an acceptance. Lord Somers is authority (and so would every judge and every English lawyer), that if any one legislature, or that if all the legislatures on earth were willing to surrender all the rights, privileges, and inheritances of the globe to Great Britain, her parliament stand ready to accept them. He states, that this his doctrine is particularly true in a mixed constitution like that of England; it is exactly the contrary: it is particularly false in a mixed government like that of England: in a country where the crown is held by recorded compact, and the parliament sits by temporary representation. It is peculiarly false in a country where the parliament and the crown stand upon the powers of the society, interposing without any authority but that of the society, and assembled in a most respectable and comprehensive description, and with the assent of the great body of the nation, deposing one king, electing another, and constituting a parliament, and such awe did they entertain for their constitution, that they acted as a convention but for a moment, to set up a parliament for an eternity; to do what? To repair everything, to preserve everything, and to abolish nothing, save only the abuses that threatened to abolish the constitution. On this subject he not only errs in his reasoning, but his conception of reasoning on the subject is fallacy and error; he affects to measure the elements of human justice by the elements of British empire. Do not admit the principle of justice, do not admit human right, else what becomes of our conquest of Wales, else what becomes of our union with Scotland. He might have gone on; he might have extended his argument to the East and West Indies? Had the British Parliament succeeded in its attempts on America, he would have more arguments of this nature; but what is all this to us? If Scotland chose to transfer her legislature to England, or if Wales were conquered, is that a reason why Ireland should admit the competency of the parliament to surrender her rights, or the justice and validity of a right of conquest? The fact is, that the acquiescence of Scotland for a century, and the acquiescence of Wales for many centuries, have become the laws of these respective countries: the practice and the consent of nations for periods of time become their laws, and make the original act of combination, whether it be conquest or treachery, no longer scrutable nor material. In a course of years, conquest may be the foundation of connexion, and rape of marriage; such has been, not seldom, the elements of empire; but such are not the elements of justice. The principles of right and wrong so intermix in centuries of human dealing as to become

inseparable, like light and shade; but does it follow that there is no such thing as light and shade; no such thing as right and wrong. I am sure that the right of England to the acquisitions above stated are perfectly sound and unquestionable; I should be sorry it were otherwise; and, therefore, I am exceedingly glad it does not rest on the ground on which he has placed it.

I might, however, waive all this, and produce against him two authorities, to either of which, in this case, he must submit; the one is the Parliament of Ireland, the other is himself. After having denied in substance the power of the people, which he calls a sovereignty in abeyance; and after having maintained, in terms absolutely unqualified, the unlimited authority of parliament; that is, its omnipotence, he does acknowledge reluctantly, and at length, that parliament is not unlimited; and that there does exist in the society a power in abeyance. He tells you there may be a case of abuse calling for the interference of the people collectively, or of a great portion thereof, as at the Revolution of 1688. I suppose now, if there can be such a case of abuse calling for such an interference, there must be a power in abeyance to answer that call, and to question that abuse; and the point in dispute is not touching the application of that power but its existence. The other authority, namely, the Parliament of Ireland, has publicly, solemnly, and unanimously, disclaimed and renounced, in the following memorable and eternal expressions, any competency whatever to transfer or surrender the unalienable right and inheritance of the people of Ireland, to be governed by no other parliament whatsoever, save only the King, Lords, and Commons of Ireland—"The right of the people of Ireland to be subject to laws made by the King, Lords, and Commons of Ireland, and no other, is their ancient inheritance, which we claim on our part and on theirs, and which we cannot surrender but with life." What will the minister say now? But he has more difficulties against him; he has his own authority, against his own project. He states, that his object is identification of people; he says, it is not the English navy, it is not the English militia, nor the English treasury, nor the Irish yoeman, nor the Irish Parliament, that can save you; they may by chance succeed; but your great dependance is the identification of the people of the two nations. He states further, that this identification is necessary for a present purpose, namely, the defence of the empire against the ambition of France; here, then, is the great principle of his Union, as expressed by himself, the identification of the people of the two nations, for a present purpose. According to that principle, let us examine his project; it is not an identification of people, as it excludes the

Catholic from the parliament and the state; it is not an identification of government, for it retains the Lord-lieutenant and his court; it is not an identification of establishments; it is not an identification of revenue; it is not an identification of commerce, for you have still relative duties, and countervailing duties; it is not an identification of interest, because England relieves herself as she increases the proportion of Irish taxation, and diminishes her burdens, by communicating them to Ireland. The present constitution may be said to be nearly an equal trade, and an equal liberty, and the Union to be a tax and a drawback upon that equal trade, and upon that equal liberty; for so much a diminution of that identification of interests, if it be not an identification of interests, still less is it an identification of feeling and of sympathy. The Union, then, is not an identification of the two nations; it is merely a merger of the parliament of one nation, in that of the other; one nation, namely, England, retains her full proportion; Ireland strikes off two-thirds; she does so, without any regard either to her present number, or to comparative physical strength; she is more than one-third in population, in territory, and less than one-sixth in representation. Thus there is no identification in any thing, save only in legislature, in which there is a complete and absolute absorption.

It follows, that the two nations are not identified, though the Irish legislature be absorbed, and, by that act of absorption, the feelings of one of the nations is not identified but alienated. The petitions on our table bespeak that alienation; the administration must by this time be acquainted with it; they must know that Union is Irish alienation, and, knowing that, they must be convinced that they have the authority of the minister's argument against the minister's project. I am not surprised that this project of Union should alienate the Irish; they consider it as a blow. Two honourable gentlemen have expressed that sentiment with an ardour which does them honour;* ingenuous young men, they have spoken with unsophisticated feeling, and the native honesty of good sense. The question is not now such as occupied you of old, not old Poynings, not peculation, not plunder, not an embargo, not a Catholic bill, not a reform bill—it is your being—it is more,—it is your life to come, whether you will go with the Castle at your head to the tomb of Charlemont and the volunteers, and erase his epitaph; or whether your children shall go to your graves, saying, a venal, a military court, attacked the liberties of

* Mr. O'Donnell, and Col. Vereker.

the Irish, and here lie the bones of the honourable dead men who saved their country! Such an epitaph is a nobility which the King cannot give his slaves; it is a glory which the crown cannot give the King.

INVECTIVE AGAINST CORRY.

14*th February*, 1800.

Has the gentleman done? Has he completely done? He was unparliamentary from the beginning to the end of his speech. There was scarce a word he uttered that was not a violation of the privileges of the House; but I did not call him to order—why? because the limited talents of some men render it impossible for them to be severe without being unparliamentary. But before I sit down I shall show him how to be severe and parliamentary at the same time. On any other occasion I should think myself justifiable in treating with silent contempt any thing which might fall from that honourable member; but there are times when the insignificance of the accuser is lost in the magnitude of the accusation. I know the difficulty the honourable gentleman laboured under when he attacked me, conscious that, on a comparative view of our characters, public and private, there is nothing he could say which would injure me. The public would not believe the charge. I despise the falsehood. If such a charge were made by an honest man, I would answer it in the manner I shall do before I sit down. But I shall first reply to it when not made by an honest man.

The right honourable gentleman has called me "an unimpeached traitor." I ask, why not "traitor," unqualified by any epithet? I will tell him; it was because he dare not. It was the act of a coward, who raises his arm to strike, but has not courage to give the blow. I will not call him villain, because it would be unparliamentary, and he is a privy counsellor. I will not call him fool, because he happens to be Chancellor of the Exchequer. But I say he is one who has abused the privilege of parliament and freedom of debate, to the uttering language, which, if spoken out of the House, I should answer only with a blow. I care not how high his situation, how low his character, how contemptible his speech; whether a privy counsellor or parasite, my answer would be a blow. He has charged me with his p.

being connected with the rebels: the charge is utterly, totally, and meanly false. Does the honourable gentleman rely on the report of the House of Lords for the foundation of his assertion? If he does, I can prove to the committee there was a physical impossibility of that report being true. But I scorn to answer any man for my conduct, whether he be a political coxcomb, or whether he brought himself into power by a false glare of courage or not. I scorn to answer any wizard of the Castle throwing himself into fantastical airs. But if an honourable and independent man were to make a charge against me, I would say, "You charge me with having an intercourse with rebels, and you found your charge upon what is said to have appeared before a committee of the Lords. Sir, the report of that committee is totally and egregiously irregular." I will read a letter from Mr. Nelson, who had been examined before that committee; it states that what the report represents him as having spoken, is *not what he said.* [Mr. Grattan here read the letter from Mr. Nelson, denying that he had any connection with Mr. Grattan as charged in the report; and concluding by saying, "*never was misrepresentation more vile than that put into my mouth by the report.*"]

From the situation that I held, and from the connections I had in the city of Dublin, it was necessary for me to hold intercourse with various descriptions of persons. The right honourable member might as well have been charged with a participation in the guilt of those traitors; for he had communicated with some of those very persons on the subject of parliamentary reform. The Irish government, too, were in communication with some of them.

The right honourable member has told me I deserted a profession where wealth and station were the reward of industry and talent. If I mistake not, that gentleman endeavoured to obtain those rewards by the same means; but he soon deserted the occupation of a barrister for those of a parasite and pander. He fled from the labour of study to flatter at the table of the great. He found the lords' parlour a better sphere for his exertions than the hall of the Four Courts; the house of a great man a more convenient way to power and to place; and that it was easier for a statesman of middling talents to sell his friends than a lawyer of no talents to sell his clients.

For myself, whatever corporate or other bodies have said or done to me, I, from the bottom of my heart, forgive them. I feel I have done too much for my country to be vexed at them. I would rather that they should not feel or acknowledge what I have done for them, and call me traitor, that have reason to say I sold them. I will always defend myself against the assassin; but with large bodies it is different. To

the people I will bow: they may be my enemy—I never shall be theirs.

At the emancipation of Ireland, in 1782, I took a leading part in the foundation of that constitution which is now endeavoured to be destroyed. Of that constitution I was the author; in that constitution I glory; and for it the honourable gentleman should bestow praise, not invent calumny. Notwithstanding my weak state of body, I come to give my last testimony against this Union, so fatal to the liberties and interest of my country. I come to make common cause with these honourable and virtuous gentlemen around me; to try and save the constitution; or if not save the constitution, at least to save our characters, and remove from our graves the foul disgrace of standing apart while a deadly blow is aimed at the independence of our country.

The right honourable gentleman says I fled from the country after exciting rebellion; and that I have returned to raise another. No such thing. The charge is false. The civil war had not commenced when I left the kingdom; and I could not have returned without taking a part. On the one side there was the camp of the rebel; on the other, the camp of the minister, a greater traitor than that rebel. The strong hold of the constitution was nowhere to be found. I agree that the rebel who rises against the government should have suffered; but I missed on the scaffold the right honourable gentleman. Two desperate parties were in arms against the constitution. The right honourable gentleman belonged to one of those parties, and deserved death. I could not join the rebel—I could not join the government—I could not join torture—I could not join half-hanging—I could not join free quarter—I could take part with neither. I was, therefore, absent from a scene where I could not be active without self-reproach, nor indifferent with safety.

Many honourable gentlemen thought differently from me: I respect their opinions; but I keep my own; and I think now, as I thought then, *that the treason of the minister against the liberties of the people was infinitely worse than the rebellion of the people against the minister.*

I have returned, not as the right honourable member has said, to raise another storm—I have returned to discharge an honourable debt of gratitude to my country, that conferred a great reward for past services, which, I am proud to say, was not greater than my desert. I have returned to protect that constitution, of which I was the parent and the founder, from the assassination of such men as the honourable gentleman and his unworthy associates. They are corrupt—they are

seditious—and they, at this very moment, are in a conspiracy against their country. I have returned to refute a libel, as false as it is malicious, given to the public under the appellation of a report of the committee of the Lords. Here I stand ready for impeachment or trial: I dare accusation. I defy the honourable gentleman; I defy the government; I defy their whole phalanx: let them come forth. I tell the ministers I will neither give them quarter nor take it. I am here to lay the shattered remains of my constitution on the floor of this House, in defence of the liberties of my country.

ANTI-UNION SPEECHES.

19*th March*, 1800.

Sir,—The plan of Union has detailed itself. Still it is the abolition of the Irish Parliament, and the transfer of legislation: on the part of this House a breach of trust, and on the part of the minister of England a breach of faith. The advocates for Union have failed in every thing: first, in their attempt to prove the competency of parliament to destroy the old, and to impose a new constitution against the sense of the people. They have quoted the instance of Scotland; but there was no compact between England and Scotland, such as our compact of 1782; and the sense of the Scotch electors was taken on the subject of Union by a dissolution of the Scotch Parliament; so that the strength of the case of Scotland is the desideratum of the case of Ireland. They have attempted to produce instances; viz. the succession of the crown, and the change of religion, as if it were the same thing to make law, and to dissolve the law-maker; as if the frame of the constitution were as much the creature of law as the establishments are the creature of law, and law the creature of the law-maker. In these instances the families and persons administering the constitution were changed, but the frame of the constitution continued; the principle on which they have argued, would reduce human right to the two great questions of power and corruption, in breach of trust and contempt of justice. They have attempted to produce authority; viz. the parliaments of both countries: as if, in a question between two parties, the parliament and the people, the *ipse dixit* of the parliament decided the point. However, the Parliament of Ireland have decided the point, and they have decided the point against their power; for they declared, in 1782, unanimously, both Houses, that the right

of the people of Ireland to be subject to no laws but those made by King, Lords, and Commons of Ireland exclusively, was the ancient inheritance of the realm, which they could not surrender. They have attempted to quote authorities. Blackstone, who, upon a constitutional subject regarding Ireland, is no authority; for he declared the Parliament of England competent to make law for this country. Lord Somers, who has said nothing on the subject, and Lord Coke, who, if he has spoken decisively upon the subject, has spoken against them; for he has said that one parliament cannot take away the power of future parliaments—of course cannot take away their existence. They have been answered by an authority greater than all they have attempted to quote, the great writer of the Revolution, Mr. Locke, whose express doctrine, and whose repeated declarations, together with the great principle on which his Essay is founded, go to establish that the legislature is a thing in trust, and that the trustees have not in themselves authority to surrender or transfer the same. They have been answered by the great political act of the English nation, as well as by her great political author, namely, the Revolution, where the society, or a large description thereof, authorised by the society, did interfere in consequence of a breach of trust, adjudged to be a violation of the fundamental principles of the constitution, and therefore an abdication of the government. They have been answered by original contract, declared and voted at that time to be the bond between the people and the government; and they have been further answered by this necessary inference, arising from their doctrine, that, according to their doctrine, should the government of France, Buonaparte for instance, be able to corrupt a majority of the two Houses of the British Parliament, that majority is competent to transfer the powers of the British legislature to Paris.

In their attempts to prove this measure to be the sense of the people, they have been equally unfortunate. They relied on that sense at first as their ground of Union. See their debates of the last session—see the king's message on your table. Finding the sense of this House, on the last session, they appealed to the populace against the parliament: finding themselves on this session more fortunate to incline the will of this House to their projects, they reject the sense, not of the populace, but of the people. They had before thought the parliament had no sense but in the rabble; and now they maintain that the great body of the people, the community, the electors of the realm, that great comprehensive body which the law calls the Commons, have no sense but in the parliament. They render the right of petition null and void. They effectually and substantially repeal the

operation of one great article, the declaration of right; viz. that it is the right of the subject to petition: for they allege that, instead of attending to his petitions as conveying his sense, you are to look for his sense in the measure adopted by parliament, against which measure he is petitioning; and, in order to take away any possible authority which his petition either should have on the royal mind or on this House, they set up a ministerial inquisition into his character, and proscribe for certain popular acts—such as Catholic emancipation and parliamentary reform, all His Majesty's subjects that took a part in those acts; that is to say, all the Catholics, all the Presbyterians, and a great portion of Protestants; in short, the great bulk of the community. They in fact proscribe and exclude, not from their right of petition in form, but in substance, from any authority, weight, or utility annexed to that right, all His Majesty's subjects, save only the friends to the Union, their own connexion, their courtiers, or their fellows: thus they get clear and dispose of the cities, towns, and six and twenty counties, who have petitioned against the Union.

In their attempt to prove the Union a measure of identification, they have been no less unfortunate; these cities, and six and twenty counties, petitioning against it, remonstrating against it, exclaiming against it, prove that it cannot be a measure of identification. You cannot identify or bind two people together by mere operation of parchment or paper; the will of the parties is essential to marriage, national or personal; between the buyer and the bought, between the oppressor and the oppressed, between the conqueror and the conquered, there can be no identification. This Union, forced against the sense of the people, by terror and by money, would be an act of oppression, of purchase, and of conquest; the means taken to force the Union, render the identification of people impossible; indeed the Union does not profess to be an identification; it is not an identification of executive. You are to have two courts, a viceroy or justices, and their separate establishments, a separate treasury, a separate revenue, with its distinct patronage and expense, and a separate and distinct regulation for trade and commerce; you are to be governed by distinct laws, (what is the martial bill of the other night?) and by a distinct spirit and principle administering those laws. The temper and spirit with which administration speak of the people of Ireland, prove that they think them a different people, of different manners, different views, and different natures, to be governed on different principles. What are those principles? The principles of conquest for the Irish, the principles of hostility for the Irish. Has any one seen the pamphlet of the Earl of Clare on this subject? Nay, even in the instance of parlia-

ment, though there be an identification of legislatures, there is not, as has been proved by a most learned and valuable member of this House, an identification of legislative principle; the principle with respect to England being that of trust and confidence, and the principle with respect to Ireland being that of terms and of jealousy.

As little have they been able to prove that this Union will produce tranquillization; the object of the minister seems to be to get rid of the parliament, in order to get rid of the opposition; a shallow and a senseless thought. What! when you banish parliament, do you banish the people? Do you extinguish the sentiment? Do you extinguish the soul? Do you put out the spirit of liberty, when you destroy that organ, constitutional and capacious, through which that spirit may be safely and discreetly conveyed? What is the excellence of our constitution? Not that it performs prodigies, and prevents the birth of vices which are inseparable from human nature, but that it provides an organ, in which those vices may play and evaporate, and through which the humours of society may pass without preying on the vitals. Parliament is that body where the whole intellect of the country may be collected, and where the spirit of patriotism, of liberty, and of ambition may all act under the control of that intellect, and under the check of publicity and observation. But if once these virtues or defects were forced to act in secret conclave, or in dark divan, they would produce, not opposition, but conspiracy. Hence, the parliamentary storm which shakes the minister, saves the monarchy. How idly have gentlemen argued, who think that all questions will cease because there is no Irish Parliament to agitate them; they will be agitated by the parliament of the empire, and by the people of Ireland who will have no parliament, and therefore must agitate them among one another. Catholic emancipation. Gentlemen say that question has ceased; the question of Union has revived it; it is now discussed in the debates of Great Britain, and in the publications of the members of the British Parliament. The question of parliamentary reform; do gentlemen say that will cease? No; the use made of Irish boroughs to procure the Union, and the inundation of corruption from Ireland in consequence of the Union, the operation of the double establishments playing against one parliament; the military government of Ireland. All these are great subjects, certain to be agitated.—Why should gentlemen imagine that the absence of parliament should silence great questions, or great grievances? Has India a parliament? Have the slaves a parliament? Have the oppressions of India never been agitated? Has the slave trade never been agitated? Yes! all those questions will be agitated; but how? without hope of

redress. The irritation will, therefore, be certain, and the remedy desperate. You will be taught by the debates of the imperial parliament that you have grievances, and you will be further taught by the abortive consequences of these debates, that you have no parliament to redress them. You will find that to deprive a nation of hope is not the best method to prevent her becoming desperate: and that you, least of all, secure the peace of your country, by taking away that constitution, which that country had pledged herself to support.

As little have they established the defects of the constitution of 1782, or the ministerial responsibility, and conventual inadequacy, which they allege to be inseparable from the same. They have been answered by referring to the judicial, financial, and military departments, with Irish officers and stamps of authority annexed, all responsible to the Irish Parliament. They have been shown that no English minister can do anything here but through the medium of an Irish minister, who is answerable to you. They have been shown, that if the country have not all that political consequence that they now, for the first time, desire, it is because she has not the physical consequence which their Union would but ill supply, and would greatly diminish. But they have been shown that this country may have by the constitution all that liberty which is necessary for happiness, and all that power which is necessary for liberty. They have dwelt much upon the conventual inadequacy of the Irish constitution. Here I beg to consider its fact as well as its theory.

The direct powers of the House of Commons are much, but the indirect are everything; the purse has drawn the action of the executive here; the minister is that person whom the king has appointed, and the common support; he is constituted minister by His Majesty, but he continues minister only as he enjoys the confidence of parliament; he is ultimately responsible to parliament, but in the mean time he takes care to act with her previous or concomitant council.

Let us apply this doctrine to Ireland, by adverting not to what may happen, but to what actually has taken place. You obtained a free trade; how? By your command over the purse of the nation; and yet at that time your grant was not four hundred thousand a-year additional supply, and the king had an hereditary revenue considerably more, and the parliament of England voted your army; and now, when the king has no hereditary revenue, and the parliament of England does not vote your army, and when you grant more than five-fold of what you granted then, do you imagine you will not be able to secure objects which are to England ten-fold less interesting; namely, participation in her treaties? But the experiment has been tried;

the Methuen treaty; French treaty; and the American treaty. All these were open to you as matter of course; it is therefore contrary to experiment as well as to theory, to affirm that the constitution of Ireland is incompetent to secure to the people of Ireland a participation in English treaties; and the truth is, that this Union is propounded, not so much from a sense of our constitutional weakness, as from a dread of our constitutional power. The English minister is jealous of Ireland: he wishes to make the business of influence more compendious; he thinks it more easy to govern by patronage one parliament than two; he has produced a correspondence which shows you how reluctantly, as far as concerns some of the ministers of England, our constitution was acknowledged even in the moment of our strength, and now he proposes a measure, showing with what avidity it is to be snatched away in the moment of our weakness. Let them produce what arguments they please. Let them throw over their proceedings what veil or colour they can devise, still is the case apparent. You recovered your liberty in the day of your strength, and the British minister takes it away in the day of your weakness.

The advocates of the Union have failed in that part of their argument which relates to commerce even more than any other. Instead of promoting your manufactures, to compensate for the loss of your parliament, they tell you now that it is of very little consequence whether you have any manufactures or not; they tell you it is of very little consequence where the manufactures of the empire are disposed, and that if England be more formed for the cotton manufacture, &c., that manufacture and the others should reside in England exclusively. We conceived at first that the manufacturer was to be the great object of those who promoted the Union; we now find that it is the consumer. In short, that idea of converting this country into a land of manufacturers to atone for the loss of a resident gentry is abandoned, and we are now to have neither a resident gentry nor manufacturers; all the policy of nursing our growing fabrics, and thereby of improving the industry of the country; employing her children and expending her wealth upon her own labour, is now abandoned, and the language of the Union is, buy where you can and as cheap as you can, and if the English market be cheaper, resort to that market in preference to your own; accordingly, it is proposed to reduce the protecting duties in seventy instances, to 10½ per cent. for the next twenty years, and after that to reduce them to nothing; observe that this injury, or at least this danger, is the great *bonus* for the Union: you are called upon to declare, that the high duties under which those manufactures have flourished, has not only been an injury to your commerce, but so

great an injury, that you should get rid of your parliament, in order to get rid of those duties; you are called upon to declare, contrary to experience, that your manufactures have been prejudiced by those high duties; you are called upon to declare, contrary to evidence, that your manufactures can flourish hereafter without them; and you are called upon to declare, supposing those duties to be mischievous, that they cannot be reduced by your own parliament. Never was a proposition so audacious, to call upon a country to give up at the same time her constitutional and her commercial securities, and to inform her at the same time, that she is to make such a surrender, with a view to enlarge her liberty and her commerce; the cotton manufacturers have got a respite, a few years are allotted to them to withdraw their capital from the trade to save themselves, but not the country, a decisive proof of the ruinous consequence of the measure, and how little the commerce of Ireland was in its consideration. You have heard the testimony of certain manufacturers; you have heard what capital they have laid out, what a number of men they have employed, how their manufacture has flourished since the constitution of 1782, and what ruinous consequences they apprehend from the Union. Against their testimony, you have heard nothing but the calculation of ministers, who do not understand the subject, and who, if they did understand the subject, are parties for Great Britain. Thus, against experience, against evidence, you are called to act in a case where, if you commit a false step, you can never recover it; if these alterations in your duties were necessary for your interest, they had been proposed before this to your own parliament, who was and is perfectly competent to administer redress, but they were not propounded since the time of the propositions to your own parliament, because, till now, the commercial interests of this country, and the country herself, had weight and strength. In the moment of your weakness do they come before you, when you are equally unable to defend your trade and your liberty; for the injuries done to both, the project of Union proposes a compensation in revenue; England, it states, is to pay for your establishments in peace and in war. A mischief which has not befallen the British empire for near a century; England is to buy, and Ireland is to sell the Irish constitution, and the empire of Great Britain and the freedom of Ireland are to be the victims; the empire is to lose what she wants, revenue; and you are to lose what you hold invaluable, constitution. When England communicates to Ireland the blessings of her trade, as in 1779, she lost nothing; she added to the stock of common industry; but when England parts with revenue, she loses what she gives, and you lose more than what you get; the idea, there-

fore, is inadmissible, the offer fraudulent. It is founded upon two principles, both of which are false; first, that the revenues of the country will not increase; second, that the expenses of the country must. As to the first, they say Ireland will be no longer able to support herself, either in peace or war. In the last twenty years the revenues of Ireland have increased near four-fold, under the constitution of 1782. If they are to decline under the Union in the next twenty, what becomes of the national prosperity which is promised to flow from the Union? Either their promise is true, and the Union will increase the means of the country, and then what becomes of their argument? Or their promise is false, and the Union will diminish the means of the country, and then what should become of their Union? So that they must either give up their argument, or give up their measure.

Let us see, however, what is this tremendous bankruptcy with which we are threatened. The revenues of this year they have stated to be £2,300,000, and the new taxes to be three hundred more, making together a net annual income of £2,600,000. Now, the last peace establishment was not above £1,000,000, and the interest of the debt is not above £1,400,000; as they have under-rated the revenues of the country, so they have over-rated her establishments; and they have estimated her future peace establishment at £1,500,000; they have increased, according to this estimate, the peace establishment one-third, for which they have given no adequate reason: they say the pay of the army has been augmented; that there will be a certain increase of expense in peace, in consequence of the militia, and also in consequence of the yeomen admitted; but these three items will not amount in peace to the difference of £500,000. They have not attempted to produce any estimate to show that they will, nor can they; therefore when they call upon you to acknowledge such a peace establishment, they call upon you for an opinion without any data or foundation whatsoever. The expenses of militia and yeomen in peace, which they talk about, but do not state, should produce a proportional reduction of the army, unless they propose, as I suspect they do, to make the establishment a military government, and to throw into this country a great proportion of the army of the empire: and they do hint, indeed, that your peace establishments must be £1,900,000; and that you are not to have 12,000 regulars as formerly, but 20,000 effective regular troops. Thus, they propose a war establishment in time of peace, as they have proposed a rebellion establishment in time of war; and form the estimate of their permanent establishments on the estimate of a permanent rebellion. They have already stated the productive effects; and now they state the tranquillizing consequences of a Union—

permanent disaffection—permanent military government. A minister states, that he cannot administer the country according to the established constitution, or upon any revenue which the country can afford; and you are to make him a present of the parliament, and replace it by troops. Thus the Union, when it details itself, becomes a self-convicted measure. The projector tells you a military government and a military force, which the country will not be able to pay, and which Great Britain must, in order to keep down those discontents which follow the Union. I do acknowledge, that some few years after the war, it may be necessary to keep up a certain unusual force in Ireland. I do not know that it will; but if it should, I would consider such force the establishment of expediency and not of permanency. It should be considered, like the martial law bill, or repeal of the Habeas Corpus bill, measures of the moment; and as those laws are not to be considered as your permanent constitution, so neither should that force be considered as your permanent establishment.

With respect to the war establishment, the project holds out the saving of a million; on what grounds I cannot see; but let us proceed on the noble lord's calculations as if they were right; what will be the amount of that saving? His statement of the war establishment he cannot apply beyond the present war; you can collect something like a wish that the statement should be extended still farther, but nothing like an argument. Let us suppose, then, the present war to last for three years; for one you have provided already; in the remaining two you will, according to him, save two millions; but you are to pay for the purchase of boroughs, £1,500,000; so that your net saving for the surrender of your parliament will be £500,000 only. But this gain is founded upon a supposition that the noble lord's statements are right, and that the annual supply now voted is a million more than the annual contributionary supply projected; but his annual contributionary supply he states to be £4,492,000 English, and the supply voted this year is £4,652,000 Irish; so that his saving in time of war seems to be a perfect delusion. If you look back, you will find that, upon his principle of contribution, we should in the present war, taking into consideration the taxes on exports and on income, and the permanent taxes raised this war in Great Britain, have raised, in addition to our former supplies, the annual income of above £2,000,000 a-year. Looking to the present moment, you see that you save nothing; and, looking prospectively, you see you pledge yourself to a principle of expense which is indefinite. You are to pay, I think he says, £4,400,000 English in time of war, unless England should raise her expense, and then you are to raise yours along with her. Let

us, however, take the Irish contribution, and £4,492,000 English; I should be glad to know whether this is to be expended on troops kept within the country or not? If on the former, it is a very bad disposition of the force of the empire, which cannot be justified but by rebellion and invasion, or the apprehension of both, and therefore never can be considered as the permanent application of His Majesty's forces. If the latter, that is, if the money be to be expended on troops serving out of the country, how will you ever be able to bear so great a drain in addition to all your others? the drain of the absentees; the drain of the additional absentees; the drain of money paid for the interest of additional debt, and now the drain of the Irish contribution expended in other countries; so that, according to this plan, an invasion, or the apprehension of invasion or rebellion, are the only means to prevent bankruptcy. In every shape I view this question, it is mischievous; and not less mischievous as the extinction of the Parliament of Ireland, than as the corruption of the Parliament of Great Britain. You reduce your Commons by two-thirds; and you make the minister a present of the other; you calculate upon an immense Irish establishment in war, and an increased establishment in peace. Thus you increase greatly the sources of influence, while you diminish the number of the persons on whom that influence is to operate: you keep up all the Irish establishments so augmented together, with all the establishments of Great Britain, and leave the double cause to operate on one parliament.

The British House of Commons resolved some years ago, that the influence of the crown had increased, and ought to be diminished. I understand it has considerably increased since. Some years ago, the number of placemen and pensioners in the Irish House of Commons were one hundred and ten; since that time the influence of the crown has greatly increased in Ireland; and, according to the plan of Union, the peace establishment is to increase one-third, and the military establishment infinitely beyond anything known in former wars. Thus, in addition to an influence which both countries felt to be truly alarming, and one country, in the resolutions of her representatives, declared to be so, do we see a vast accumulation formed, and forming to act on the reduced numbers of one legislature, thus rendered more compendious for the corruption of the minister, as the corruption of the minister is rendered more comprehensive, and more decisive in the legislature; so that you lay a train for the downfal of the constitution of Great Britain, by the surrender of your own, whether you look to the military government, which is likely to take place in Ireland, to support this act of power, for such I must call the Union, or to the

tides of patronage, which are to accompany this act of power, and, to add to terror the force of corruption, in conjunction, against the cause of liberty.

I have mentioned the contributionary aid which is to follow this Union. I beg to consider, upon what proportion that contribution is founded. The noble lord who introduced the Union states it to be as two-fifteenths, or as a seventh and an half; but the grounds on which he formed his proportion, I own, do not satisfy me. His principal ground was a comparison of the respective exports and imports of the two countries, and he estimates the imports and exports of England, on an average of the three last years, at £73,000,000, and those of Ireland at £10,000,000, and something more. Mr. Pitt, in his calculation for his income tax, stated them at above £80,000,000, and on that trade which was actually insured, and we must suppose much that was not insured. The noble lord has understated the export and import trade of England; he is also erroneous, inasmuch as he does not include tonnage, the proportion of which is beyond all comparison in favour of Great Britain. In the trade between Great Britain and this country, the tonnage and freight is almost entirely British; valuing, therefore, the imports from Great Britain to this country, as a part of our trade, we ought to value the freight as her wealth, not ours, and it ought to be added to her export. He does not include in his estimate £1,000,000 (it is a great deal more) imported into England to pay the absentees their rents from Ireland, and £4,000,000 from the West Indies. He does not include in his plan of valuation of comparative wealth by trade, the internal commerce of the two countries, which is to Great Britain a greater source of wealth than any other, and which, when we consider that Great Britain is in possession almost exclusively of her own markets, as far as relates to her manufactures, bears a prodigious proportion, we may presume, to the internal trade of Ireland. He says, that it is difficult to obtain any knowledge on that subject; which would be a good reason for rejecting the Union, when so necessary a knowledge was impossible; but the fact is, Mr. Pitt, in his speech on the income tax, has obtained knowledge on that subject, at least knowledge enough for the purpose of taxation; and he states the value of the internal trade of his country to be £120,000,000. There are other things of less consequence, but, however, of consequence notwithstanding, which he omits to state; for instance, he omits to state the profits of mines, minerals, timber, and shares in canals, which exist in Ireland in a very small degree of comparison, and which are rated to produce in England £3,000,000 per annum. From all this what do I conclude? Not that the proportion

of the wealth of Ireland is this quantity or that quantity, but that he has not given you any data whereon to conclude that the proportion of wealth in the two countries is the contribution propounded, viz., two fifteenths, or one seventh and a half; on the contrary, I think you may safely say, that he over-rates you in contribution, as he over-charges you in establishment.

On the whole, it remains then for us to reject this measure; it is a dishonourable measure; it is an insulting measure; it is a faithless measure; the commercial interest cry out against it; the spirit of the country and her constitution cry out against it; witness the petitions of different descriptions of men of all religions, who seem now to forget their differences, and only to remember their danger. I might here appeal to the different branches of the constitution, which you are going to devote. To the Lords; will they burn their robes, overset the throne, disgrace their ancestors, disqualify their blood, and consent to become slaves with nicknames, instead of peers with privileges? I might appeal to the Commons; will you who remember the business of 1782, before the grave has closed on all the persons concerned in that great event, and when the hearse is but just returned from depositing the remains of some of them, will you violate yourselves, violate the obsequies of our dead general,* and renounce publicly, and deliberately, and for ever, your constitution and your renown? I might call on you by all the good laws you have established, the commerce which you have freed, and by those manufactures which appear from the evidence lately produced at your bar, to have grown like so many children under the providence of a free constitution. I might call on you by those measures of coercion which you lately adopted, and which the most vehement assertor of power never attempted to justify, but inasmuch as he thought them the means to preserve the parliament and constitution. Do not now scandalise your own professions on that occasion, as well as renounce your former achievements, and close a political life of 700 years by one monstrous self-surrendering, self-debasing act of relinquishment, irretrievable, irrecoverable, flagitious, and abominable. I might appeal to the king, whose royalty is the auspicious birth of a free constitution. Let him not suffer any minister to profane the mild blood of the House of Hanover, or to sink his illustrious house to the level of other kings by corrupt and unconstitutional victories obtained over the liberties and character of his subjects. I might appeal to the spirit of loyalty itself against this measure of Union. I mean that loyalty which distin-

* The Earl of Charlemont.

guishes the people of these islands; other nations are slaves, but they are subjects. Do I mean that loyalty which is attached to the person of His Majesty? No; but that loyalty which is attached to the person of His Majesty, with all the constitutional circumstances which surround it; that pride of privilege, that love of liberty, and that tenacity of public honour; this it was, which in former times sustained British liberty at home, and her arms abroad; it was not discipline alone, for the armies on the continent are at least as well disciplined; it was not courage alone, for that your enemies possessed in common with the rest of mankind, but it was the spirit of a free constitution sustaining that courage and that discipline, which made every soldier in the line, with but sixpence in his pocket and one shirt to his back, conceive himself the integral part of a free state, and a conscious proprietor of the great charter. It was this, that in former times drove old Bourbon in battle; it was this that made His Majesty's subjects men, not slaves; and it is this, which you are going in Ireland, along with the constitution, from whence it emanated, to extinguish for ever.

I conclude, in these moments, they seem to be the closing moments of your existence, by a supplication to that power whom I tremble to name, that power who has favoured you for 700 years with the rights and image of a free government, and who has lately conducted you out of that desert, where for a century you had wandered, that he will not desert you now, but will be pleased to permit our beloved constitution to delay a little longer among us, and interpose his mercy between the stroke of death and the liberties of the people.

26th May, 1800.

Mr. GRATTAN observed that the bill before the House was full of inaccuracies, but inaccuracy was the least of the objections; it did indeed refer to a schedule for duties which were not there set forth, and which were not yet passed—it did indeed recite a bill to have passed both Houses of Parliament which was at that very moment in debate before the House of Lords, and it did describe that very bill by the name of an act of parliament; (saying, that when the act, viz. a bill which had only passed one house, had the royal assent, should pass)—offending against parliamentary propriety and legal phraseology with its various and great improprieties, the evident marks of haste and carelessness; but all these are lost in the fatal principle of ruin and extinction which the bill contains, whose enacting clauses are two,

first, that there shall be a distinct and separate council, and secondly, that there shall not be a parliament.

That is to say, that you are to have not what is miscalled a Union, still less a union and a constitution of liberty, but a subordinate Irish government without the control of an Irish parliament; the inferiority, the expense, the patronage, of a second and secondary government, with all those distinctions which attend separate establishments of finance; and revenue, with a separate system of trade, with a different interest for money, and a distinct code of law. This breach of compact, for such I must call it—this surrender of liberty, for it is nothing less—this transfer of the powers of the country to Great Britain—(What powers have you over India? precisely as much as you retain over Ireland)—this introduction of an innovation, consisting of a separate Irish government without an Irish Parliament, is made at a time of national debility and division, the result of a rank and vicious system of government, formed to corrupt the upper order, and divide and inflame the lower, and to deprive both of their liberty; such as one part of the present British cabinet abjured, and declaring that they took office principally to reform, did greatly confirm and aggravate; at a time too of martial law, admitted under the plea of necessity, but with great effect to depress and intimidate, not rebellion but assertion—not the spirit of insurrection, but the spirit of constitution, which would have also spoken more decidedly (and yet very decidedly it has spoken notwithstanding).

At a time, I say, when government was possessed of dictatorial power, and at a time when a spirit of innovation was abroad, which has been adopted by the ministers of the Crown, who thus afford their example to overturn the throne by overturning the constitution, and teach the Jacobin, if he wanted to be taught, to make war on the rights of kings, by making a Jacobinical war on the rights of the people: the power given them to preserve the settled state of order, they use to introduce a new order of things, and make government a question of strength, not of opinion; they run the chance of future anarchy, in order to establish present despotism; they go into the very excesses they condemn, and are the bad example they deprecate; they tell the people practically and effectually, that there is a faction not less daring and destructive than the rankest democracy; a faction which, under the colour of supporting government, would eradicate the great fundamental and ancient principles of public security, as effectually, as ambitiously, and as seditiously as its rival the Jacobin; who is only guilty of an opposite excess, and who is likely to follow and march through the public breach which the slaves of despotism

have made in the fundamental laws of the land, for the entrance of the two extremes in succession, Tyranny that takes the lead and Anarchy that follows.

If the principle of this bill be innovation, the terms of it are innovation likewise; the alteration in our system of commerce is innovation; the alteration in our system of revenue is innovation; the bill teems with every thing that is exceptionable; they talk to you indeed, as if for liberty surrendered you were to break down under the weight of commercial acquisition; they talk to you, indeed, as if for liberty surrendered you were to carry off an immense portion of English revenue; and one million a year in war, paid by England, in all distresses, was to glad and to console you, and much silly and empty sound of that kind was rung in your ears; but what is the fact, that the terms of the Union are aggravations of the Union, the principal conditions are heavy contributions. Your financial conditions are dangerous experiments, and both such as you are perfectly competent to make, provided you are disposed to do so much mischief to your country; the revenue, or the financial returns set out, with the surrender of an availing revenue of £100,000 a year, arising from the export of the raw material and the import of the manufacture, that is the best possible revenue which a nation can continue, it adds, the creation of a deficit of £95,000 a year, the interest to pay a loan of one million and a half, to be paid for the purchase of boroughs, that is, from one to two hundred thousand pounds a year, to be supplied by new taxes. The terms go on and propose a proportion of two to fifteen as the future contribution of Ireland; they do this without any data whatsoever which can warrant such a proposition. The data which are now before you, but which were not before you when you passed the resolution, and when that proposition was laid, are unintelligible to the gentlemen to whom that data is furnished. Their papers, for instance, state the value of the consumption of the country in certain articles, by which they affect to ascertain its opulence to be so much; and other papers, which are also before the House, state the value to be so much less. In the instance of tea, of tobacco, and some other articles, the value of the goods consumed is returned by one-third, in some cases by one-half, more than the value of the same kind of goods imported. The difference may be reconcileable, but it is not reconciled, and the House votes now the proportion of the contribution which is founded on those very papers, without waiting for, without demanding explanation. Suppose the cause, partly at least, of the apparent incongruity is, that in one set of papers they are valued subject to freight and tax, and in another set exempt from

both. When the minister proceeds to value the ability of the country to pay taxes, he presents you with papers containing the value of the great articles, with the charge of freight and taxes embodied; but when he proceeds to state the balance of trade between England and Ireland, he presents papers in which the freight and tax are omitted: thus coals (it is one among other instances) are valued at the pit mouths, and thus an apparent balance of trade is created in your favour, about £800,000 more than the fact; so that by the double operation, you are over-rated in commerce, and over-rated in revenue. I say, therefore, that in fixing the proportion of relative contribution, as far as that proportion affected to found itself on the comparative consumption of the respective kingdoms, you had *no data*. When first you voted that proportion, by way of resolution, you had not even papers; the majority of this House took the word of the ministers, without papers or documents, and on that word voted a twenty years' contribution. Since you proceeded by way of bill, a member on this side of the House called for papers; the papers are returned incongruous and unexplained, and now you vote the data which you do not understand, as before you voted without any data whatever. I speak of the comparison on the articles of consumption; let us see whether you have better information on the comparison formed on the imports and exports. Here papers are submitted, but here the inland trade is omitted; it is calculated to amount in Britain to £120,000,000 per annum;—here also the re-export trade is omitted. It is valued at £11,000,000 per annum in Britain; in Ireland £133,000; in the year ending January, 1799, it is valued at £14,000,000 in Britain. In the minister's calculation of national wealth, to ground a tax on national income, it was included, I apprehend, as a distinct substantive source of wealth; and, if it were just to comprehend it with a view to impose a tax, it is equally just to comprehend it with a view to ascertain a proportion: it is carried on by a distinct capital; it produces a distinct revenue; it is, by itself, a great trade; and it is almost the only one of some great commercial nations—Holland for instance. It is a greater evidence, and greater source of wealth, to make other nations pay for your industry, added to that of other countries, than out of the fruits of your industry, to pay for the industry of those countries.

But without inquiring farther into this head, without inquiring whether it be just to proceed on an average of three years, when it appears from a document, almost published under the name of Mr. Rose, that the imports and exports of Britain, in the year 1798, were not £73,000,000 but £80,000,000; and the re-export not £11,000,000

but £14,000,000; while our trade is said to have declined, inasmuch as our revenue is said to have fallen £800,000. Without inquiring into this, I say, that the papers before you prove your contribution to be unjust; they set forth the imports and exports of Britain, for the three years, to have been £73,000,000; on that they form the proportion of two to fifteen; now there should be added to that £73,000,000, £6,000,000 per annum, which Britain receives from the Indies and from Ireland; £4,000,000 from the former, and £800,000 in interest for public money lent; and near £2,000,000 in rent from the latter: this £2,000,000 is to be taken from the imports and exports of Ireland, and to be added to those of Britain which will make a proportion not of ten to seventy-three, but of about eight to seventy-nine:—thus it follows, that whatever difficulty you may have in pronouncing the proportion of contribution, you can have no difficulty in pronouncing that the contribution you have ascertained is unjust and fallacious; and you can discover its injustice and fallacy by the very papers on which you have formed it; those papers ascertaining the proportion you have voted, by the omission of £6,000,000 of British annual income. Thus has this House, under the direction of the minister, overcharged this country in contribution; having no sufficient evidence to estimate its contribution, but having complete evidence to impeach that contribution which it now imposes. And what is this contribution? It is valued at about £4,800,000 in war, in addition to the interest of your debt, which is £140,000 per annum; that is, equal to the charge of your establishment, four times greater than any past war establishment; a charge equal to the support of 128,000 soldiers, which is near eight times as much as you paid in former wars; so that you are to multiply your charge for the loss of your parliament; or rather, you are to pay the tribute of the slave; before this, you raised the supply of freemen;—a charge, I say, which, if for troops to be kept in the country, establishes a military government as complete as in Russia; and which, if for troops out of the country, will not leave you a guinea; which will, therefore, render you a slave, or a bankrupt; a military province of England, or a beggar—indeed both: for though I do not think the means of this country are unequal to every necessary expense, yet I do think they are inadequate to that contributary expense which the Union stipulates. I do think they are unequal to a war contribution of £4,800,000 per annum; and I think the attempt will exhaust this country, at the same time that it enslaves her. Colour it as you please, she will pay more than she is able; and she will pay for a force, not to protect, but to enslave.

Do we know that the balance of our trade with all the world is but

half a million in our favour, and that this half million is to supply the absentee drain of above two millions, which is to be greatly increased by the operation of the Union, by which we are to pay not only absentee representation, but absentee establishment? Do we know that even now, when we borrow about £3,000,000 per annum from England, the exchange is greatly against us? Do we know, that at this very moment, the revenue has fallen £800,000?—a fall which could be only occasional, if your constitution were suffered to continue; but, if the Union and its new drain, contributions, discontents, military government, and military maxims shall succeed, is ominous and alarming. Knowing all these, what have we done? We have over-rated our country in wealth, to over-rate her in contribution; to apply that contribution to the maintenance of a military, to take away her liberty. I speak of the proposed war establishment. What is the proposed peace establishment?—one-third greater than past peace establishments. Why one-third greater?—The increased pay of 15,000 men, the peace establishment of a militia of 17,000 men; the skeleton of the yeomen corps, will not account for an increase of one-third, viz. of half a million. No ground whatever has been laid for it, except, indeed, a certain hint, that it may be expedient to mention. In peace, an army in Ireland of 20,000—we understand that perfectly—an Union army—a military establishment in peace; and a rebellion establishment in war: in fact, an army not for the people of Ireland, but put upon them; not to protect them, but to protect the projects of the minister against them: 'tis true, it has been said, that England will pay this additional expense; but what is that? The English minister will make his country assist in the subjugation of the Irish by force of arms; there is no great compliment in this: but rely on it, that Ireland, like every enslaved country, will ultimately be compelled to pay for her own subjugation; robbery and taxes ever follow conquest; the country that loses her liberty, loses her revenues. But, if the terms of the financial part of the Union were as beneficial as they are injurious, it would be of little moment; for there is an article, that whenever the minister shall raise the debt of Ireland, to an amount which shall be as the proportion of two to fifteen in relation to the permanent debt of England (in three years of war they tell you they will do it), then you are to be taxed as much as England. Considering then the terms of the Union, as far as they relate to revenue, they amount to a continuation of the double establishment, an increase of the separate establishments, and a military government, with a prospect of soon succeeding to the full taxes of England.

As to commerce, the terms are short and simple—to abate those duties which you thought necessary for the protection of your manufactures; that's all! Are the manufacturers of glass, of iron-ware—are the brewers, the hosiers, the saddlers, the manufacturers of cotton, obliged to you for that? Did they petition parliament for it? have they not petitioned parliament against it? Who is it then that calls for it? The Irish manufacturer?—No. The Irish consumer?—No. The Irish Parliament?—No. Who then?—The British minister, who does not indeed petition, but exacts it of the Irish Parliament; who, at the same time, are called on to surrender themselves, their power, and their being. All duties below ten per cent. to be taken off; all duties above it to be reduced to that standard for twenty years; and then to be abolished *in toto*. Calico is respited for a few years. Why do you deprive calico of the advantage of being unprotected for those few years? Why; but because it is of no advantage, but the contrary; and you have thought it a matter of mercy to let the persons engaged in that trade gradually withdraw. Here is the commercial benefit; the commerce which we are to get for our constitution; for you do not say, that it is a material privilege to be permitted to export to England our cotton and woollen cloth. Would it be a great privilege to permit England to export Burgundy into France? Even the privilege of importing wool, the British minister has told you, will be of no use to you; he is, I believe, right; there is nothing he gives, there is nothing in trade which he can give, that will be of any use to you. I do not pretend to decide, whether these advantages will prove the ruin of your manufacturers; but I do venture to decide, that they will not be of any use to them. Besides, what are the commercial terms? Such as you could give yourselves without an Union, if you did not think them mischievous; what, then, are the terms, financial and commercial? The increase of your taxes of incumbrance, and the abatement of your duties of protection; a surrender, not a compensation; evidences of conquest; such terms as a nation must expect that surrenders her constitution.

From the bad terms which attend the Union, I am naturally led to the foul means by which it has been obtained—dismissals from office—perversions of the place bill—sale of peerage—purchase of boroughs—appointment of sheriffs, with a view to prevent the meetings of freemen and freeholders, for the purpose of expressing their opinions on the subject of a Legislative Union—in short, the most avowed corruption, threats, and stratagems, accompanied by martial law, to deprive a nation of her liberty; and so very great and beneficial have been the efforts, that His Majesty's ministers have actually resorted

to a partial dissolution of parliament, at the very time they declined to resort to a general election; the sense of parliament and people was against them: they change, therefore, the parliament, without recurring to the people; but procure a number of returns, exceeding their present majority, from private boroughs, vacated with a view to return a court member, who should succeed a gentleman that would not vote for the Union; here, then, is a parliament made by the minister, not the people; and made for the question. Under these circumstances, in opposition to the declared sense of the country, has been passed a measure imposing on the people a new constitution, and subverting the old one.

The good consequences of this measure have been boldly prophesied; I own I see them not. Tranquillity arising from the suppression of parliament; manufacturers flourishing from the want of protection, these excellent consequences are, at best, but problematical; the ceasing of political topics with the ceasing of the assembly wherein they might be regularly or decorously deliberated, is an expectation very pious, perhaps, but very fond and very presumptuous. Do you seriously think that when you take away the forms of liberty, you take away the spirit of liberty? Do you think, for instance, that the Catholic will become insensible to the privileges of a free constitution, because a Protestant Parliament has renounced them? Do you think Protestant and Catholic will become insensible to the necessity of representation, because they lost their freedom by the want of it? Do you think that a minister, that any set of men in league with a minister, can, with the institution, sink, smother, and put out the very essence, soul, and light of liberty? It may be so; I do not believe it. Recollect again, that this tranquillity and this commerce predicted to follow the Union, are, at best, paradoxical and remote; but that the evil consequences predicted, are immediate and certain, namely, the war contribution of near £5,000,000, the diminution of your landed capital, the absence of your landed proprietors, the abatement of your protecting duties, the surrender of a solid revenue, the increase of your benefit by a borough loan, and the subversion of your constitution. Those gentlemen, who, for what they call tranquillity, and tranquillity in their speculations, are ready to sacrifice the labours, the honour, and the freedom of their country, may find that they have lost the liberty, but have not secured the repose. Let me add, that the most decided friends, who deserve respect, have not gone farther than to say, that its consequences cannot be foreseen.

The minister of Britain (Mr. Pitt) has spoken again in its favour. His first speech is a record of inanity; the merit of his second is, to

have abandoned the defence of the first. The inundation of capital from the increase of absentees, the visit of British manufacturers from the increase of taxes, the abatement of protecting duties, and the diminution of the number of consumers, civilization arising from the absence of the gentry, from the corruption of the higher orders, (never was minister more profligate,) from the debasement of the lower order by the application of terror, civilization arising from the regular practices of administration to destroy public virtue, and to render the evils base and false of every order and degree. The political blessings arising from these causes, which overflowed in the first speech, have, in the minister's second speech, prudently and considerately, like any other folly of the day, vanished and evaporated. Argument seems to have taken a new post; it is no longer industry of the manufacturer, it is now a more pleasurable plan; luxury and consumer; such has been the turn of talk and trifling here. "England will furnish every thing for money; she will take your rent, and supply manufactures for your accommodation; what signifies which country supplies the article, since you are one people?" In the same way it is said, "what signifies the number of Irish representatives, since you are one people, and, therefore, let them be so few as to be merged in the representation of Great Britain?" Again, it is said, "what signifies where the army is quartered, whether in Britain or in Ireland, since you are one people," and, therefore, let the troops be in Ireland, and the manufactures be in Great Britain?

The advantages predicted in revenue, like those in commerce, vanish also; the magnificent million of the speech of the Irish Secretary, does not appear in the second oration of the British minister. He had indeed assumed a certain air of astonishment at the surmise, that Britain sought to obtain revenue from other countries. He suffered his minister here to go a little farther, and to teach us to think that England was impatient to get rid of revenue; that her turn now was to buy up constitutions; that she had become a chapman and dealer in liberty, and was willing to pay Ireland for her parliament, half a million in peace, and one million per annum in war. I doubted the fact, for I had not forgotten the American war; I had not forgotten the American Stamp Act; I had not forgotten Mr. G. Grenville's pamphlet, containing a proposal to tax Ireland as well as America; I had not forgotten the proposal of the present minister of England, contained in one of the propositions of 1785; namely, that the surplus of the hereditary revenue should go to England: when, therefore, the same minister, in a state of ten-fold distress, disclaimed revenue, and when the minister here averred that England was to pay a contribution to Ire-

land, I did not believe either; but when the former now disavows the latter, and, in his second speech, as printed, he is made to say, that Ireland is to pay pretty much what she does now; that is to say, not as the minister here said, a million less, but above four times as much as she paid in any former war, and many times as much as she is able; and such an expense as the rebellion, not the war produced;—I say, when the minister sets forth such, as our contribution hereafter, he does renounce all benefits predicted in finance; with as much candour as he abandons all benefits predicted in commerce, to result from his fatal measure of Union. His second speech, in short, deserts the boast of beneficial terms, and confines itself to errors and misrepresentations of another kind, which are there to be found in very great abundance. He sets forth that the Irish constitution is the cause of our misfortunes; his friends have stated the same thing, and have said, that they cannot administer the country on her revenues, or under her constitution; and such an argument in him and in them, is modestly urged to banish the parliament, and to retain the ministry. Never was it known in a country that retained a trace of liberty, that a minister of the Crown was suffered *to impeach* the constitution of the realm; suppose he were to say,—

"I cannot administer a monarchical constitution, therefore banish the king;" or, "I cannot administer an aristocratic constitution, therefore banish the House of Lords." What, in fact, does the minister say, who uses this argument, but that his system was a grievance, as was predicted by part of his colleagues, who said they took office, to reform it; that it was not fit for a free people; that it would produce a civil war; that the public sale of honours, that his notorious attempts to pack parliament, that the violence of some of his agents in this country, that his selection of persons for Irish affairs, who were rather panders than politicians, would aid the growth of French principles, and produce insurgency. Let us, however, give the minister every advantage; let us receive his charge and try the constitution. He will please to shew by what act she produced the rebellion; the mere co-existence of a constitution and a rebellion does not convict the former; it will be necessary for the accuser to specify facts, and it will be necessary for him to shew, first, that these facts sprung out of parliament; second, that these facts produced the rebellion; his friends have advanced two facts, the reform of parliament, and the emancipation of the Catholics; but it will be recollected, that parliament was not the author of either of these questions, and it will be recollected also, that in the report of the two Houses, formed by the friends of the minister, it is declared, that neither of these questions were the cause

of the rebellion—for there it is said, that neither of those questions were an object to the people; thus is the constitution acquitted; and acquitted by the very ministry who prefer the charge; they have confined their charge to two questions; and they have declared these questions did not interest the people; and these questions, it is known, did not spring from the parliament.

They have affected to try the constitution, let us now try them; and I ask whether their own measures might not have caused the rebellion? Whether the sale of peerages, as notoriously took place in 1789 and 1790, by the then ministers of the crown, for the purpose of procuring seats in the commons, for the dependants of the castle, might not have destroyed in Ireland, the credit of British government?

I ask, whether the attempt to pack the Irish Parliament, as was notoriously practised in '89 and '90, by the then minister of the crown in Ireland, might not have sunk the credit of British government? I ask, whether the profligate avowal of that profligate practice, by a profligate minister of the crown, might not have sunk the credit of British government? I ask not, whether the introduction of the question of Parliamentary Reform, could have sunk the credit of British government; but I do ask, whether the introduction and the apostacy from that question, might not have helped to sink the credit of British government? I ask, whether the introduction of the Catholic Question in Great Britain in '92; whether the opposition given to the Catholic Franchise, by the Irish government in '92; whether the assent given to the petition for that franchise, by the English ministry in '93; whether the abuse and Billingsgate accompanying that assent, and uttered by the Irish ministry at that time; whether the adoption of the pretensions of the Catholics, by the English ministry, at the close of '94; whether the rejection of those pretensions, and the recal of a lord-lieutenant, because with the ministry's knowledge and acquiescence he honoured those pretensions; whether the selection of persons for distinguished trust, who had distinguished themselves by a perpetual abuse of the Irish, and who were notoriously hostile, and who since have acknowledged their hostility by a conspiracy against the parliamentary constitution of their country; I ask, I say, whether such a conduct, so incoherent, so irritating, so violent, so temporising, so corrupt, might not have very much aided the efforts of France, in sinking the character of British government? I ask those questions, and I do say, if ever the causes of the late rebellion shall be dispassionately discussed, the great, originating, and fundamental cause, will be found in the aversion of His Majesty's ministry to the independency of the Irish Parliament, and their efforts to subvert the same.

We follow the minister. In defence of his plan of Union, he tells us the number of Irish representatives in the British Parliament is of little consequence: this doctrine is new, viz., that between two nations the comparative influence is of no moment. According to this, it would be of no moment what should be the number of the British Parliament. No, says the minister, the alteration is to be limited to the Irish Parliament, the number and fabric of the British is to remain entire, unaltered, and unalterable. What now becomes of the argument of mutual and reciprocal change? or what does the new argument avow, but what we maintained, and the court denied, that the Union was, with respect to Ireland, a merger of her parliament in the legislature of the other, without creating any material alteration therein, save as far as it advanced the influence of the crown direct or indirect.

The minister goes on, and supposes 100 Irish will be sufficient, because he supposes any number would be sufficient; and he supposes any number would be sufficient, because the nations are identified. Thus he speaks, as if identification was, at once, a cause to flow from representation, and an event which preceded it. You are one people, such is his argument, because you are represented, and what signifies how, or, indeed, whether you be represented; but the fact is, that you are identified (if you be identified, which I deny) in the single point of representation, and that representation is absorbed in the superior numbers of the English Parliament, and that apparent identification is, of course, lost, while you remain a distinct country, distinct in interest, revenue, law, finance, commerce, government. Suppose Yorkshire governed by a lord-lieutenant, and by a different code of law, she would not be a part of England, but a province of Great Britain; but now the martial law of Scotland must be the martial law of England, and therefore, the constitutional sympathy of England defends and renders the number of her representatives less essential; but the martial law of Ireland is not the martial law of England; the military government of Ireland is not the military government of England, and therefore the constitutional sympathy of England does not defend Ireland, but, on the contrary, the imperial jealousy of England endangers Ireland, and has taught the councils of Britain to think that our servitude is our safety.

"It is matter of no moment what are the number of Irish representatives, provided that they be sufficient to state the wants, and watch over the interest of their country;" so do the public prints make the minister speak; why! three men are sufficient for that purpose—one man could do it—a gentleman seated at the bar could do it: the Ame-

rican agents did that before the American war, but the minister is made to add another provision, which makes his doctrine less answerable in point of meaning, leaving it without any meaning at all, "provided that the numbers be sufficient to protect the rights of the country:" but, indeed, when he afterwards explains what protection those rights are to receive, then he sets your mind at ease—protection against Jacobinism; that's the only point, and that could be accomplished without a single representative; without a parliament; an absolute monarch could do that; martial law will do that; James the Second would have done it; but are there no popular rights? Is liberty gone out of the calendar? Order, government, they are indispensable, but are they the whole? This is new doctrine in these countries, very familiar to a minister, but very fatal to a free people. He confines the purposes of Irish representation to two objects; first, watching and stating, which only requires one representative; secondly, protection against Jacobinism, which requires no representative whatever. He then proceeds to ask himself a question extremely natural after such reasoning; what security has Ireland? He answers, with great candour, honour. English honour. Now, when the liberty and security of one country depends on the honour of another, the latter may have much honour, but the former can have no liberty. To depend on the honour of another country, is to depend on the will; and to depend on the will of another country, is the definition of slavery. "Depend on my honour," said Charles the First, when he trifled about the petition of right: "I will trust the people with the custody of their own liberty, but I will trust no people with the custody of any liberty other than their own, whether that people be Rome, Athens, or Britain."

Observe how the minister speaks of that country which is to depend hereafter on British honour, which, in his present power, is, in fact, his honour. "We had to contend with the leaders of the Protestants, 'enemies to government;' the violent and inflamed spirit of the Catholics; the disappointed ambition of those who would ruin the country because they could not be the rulers of it." Behold the character he gives of the enemies of the Union, viz., of twenty-one counties convened at public meetings by due notice; of several other counties that have petitioned; of most of the great cities and towns, or indeed of almost all the Irish, save a very few mistaken men, and that body whom government could influence Thus the minister utters a national proscription at the moment of his projected Union, he excludes by personal abuse from the possibility of identification, all the enemies of the Union, all the friends of the parliamentary constitution of 1782, that great body of the Irish, he abuses them with a petulence more befitting

one of his Irish ministers, than an exalted character, and infinitely more disgraceful to himself than to them; one would think one of his Irish railers had lent him their vulgar clarion, to bray at the people.

This union of parliaments, this proscription of people, he follows by a declaration, wherein he misrepresents their sentiments as he had before traduced their reputation. After a calm and mature consideration, the people have pronounced their judgment in favour of an Union, of which assertion not one single syllable has any existence in fact, or in the appearance of fact, and I appeal to the petitions of twenty-one counties, publicly convened, and to the other petitions of other counties numerously signed, and to those of the great towns and cities. To affirm that the judgment of a nation is erroneous may mortify, but to affirm that her judgment *against* is *for;* to assert that she has said *ay* when she has pronounced *no;* to affect to refer a great question to the people; finding the sense of the people, like that of the parliament, against the question, to force the question; to affirm the sense of the people to be *for* the question; to affirm that the question is persisted in, because the sense of the people is for it; to make the falsification of her sentiments the foundation of her ruin, and the ground of the Union; to affirm that her parliament, constitution, liberty, honour, property, are taken away by her own authority, there is, in such artifice, an effrontery, a hardihood, an insensibility, that can best be answered by sensations of astonishment and disgust, excited on this occasion by the British minister, whether he speaks in gross and total ignorance of the truth, or in shameless and supreme contempt for it.

The constitution may be *for a time* so lost; the character of the country cannot be so lost. The ministers of the crown will, or may, perhaps, at length find that it is not so easy to put down for ever an ancient and respectable nation, by abilities, however great, and by power and by corruption, however irresistible; liberty may repair her golden beams, and with redoubled heat animate the country; the cry of loyalty will not long continue against the principles of liberty; loyalty is a noble, a judicious, and a capacious principle; but in these countries loyalty, distinct from liberty, is corruption, not loyalty.

The cry of the connexion will not, in the end, avail against the principles of liberty. Connexion is a wise and a profound policy; but connexion without an Irish Parliament, is connexion without its own principle, without analogy of condition, without the pride of honour that should attend it; is innovation, is peril, is subjugation—not connexion.

The cry of disaffection will not, in the end, avail against the principle of liberty.

Identification is a solid and imperial maxim, necessary for the preservation of freedom, necessary for that of empire; but, without union of hearts—with a separate government, and without a separate parliament, identification is extinction, is dishonour, is conquest—not identification.

Yet I do not give up the country—I see her in a swoon, but she is not dead—though in her tomb she lies helpless and motionless, still there is on her lips a spirit of life, and on her cheek a glow of beauty—

> "Thou art not conquered; beauty's ensign yet
> "Is crimson in thy lips, and in thy cheeks,
> "And death's pale flag is not advanced there."

While a plank of the vessel sticks together, I will not leave her. Let the courtier present his flimsy sail, and carry the light bark of his faith, with every new breath of wind—I will remain anchored here—with fidelity to the fortunes of my country, faithful to her freedom, faithful to her fall.

CATHOLIC QUESTION.

13*th May*, 1805.

In the month of April, Mr. Grattan was returned for Malton, a Yorkshire borough, and in the ensuing month he took his seat for the first time in the Imperial Parliament. Much curiosity was naturally excited to hear a speaker of whom so much had been said, and who, in his own country, had acted so conspicuous a part in obtaining for her a constitution, and in defending it at the period of its extinction; an opportunity soon presented itself, on the subject of the Roman Catholic Petition, which had been entrusted to Mr. Fox, and which, on the 25th of March, he presented to the House. It was read and laid upon the table. The 10th of May was named as the day on which he meant to bring forward a motion upon the subject, this was altered to the 13th, when, after a long and able speech, in which he reviewed the policy of Great Britain towards Ireland, set forth the disabilities under which the Roman Catholics laboured, and the fidelity with which they had adhered to the fortunes of Great Britain, he concluded by moving, "That the petition be referred to the consideration of a committee of the whole House:" this was opposed by Dr. Duigenan, who entered into a long and violent invective against the Roman Catholics; he quoted several obsolete decrees of Rome, and acts of various councils, and declared that the Catholics were hostile to the connection with Great Britain, and that any bill in favour of their liberties, would be a violation of his Majesty's coronation oath: after he had concluded—

Mr. GRATTAN rose, he said, to avoid the example of the member who had just sat down, and instead of calumniating either party, to defend both.

The past troubles of Ireland, the rebellion of 1641, and the wars which followed (said the honourable gentleman), I do not wholly forget, but I only remember them to deprecate the example and renounce the animosity. The penal code which went before, and followed those times, I remember also, but only enough to know, that the causes and reasons for that code have totally expired; and as on one side the Protestant should relinquish his animosity on account of the rebelliona, so should the Catholics relinquish their animosity on account of the laws. The question is not stated by the member; it is not whether you will keep in a state of disqualification a few Irish Catholics, but whether you will keep in a state of languor and neutrality a fifth of the empire; before you impose such a sentence on yourself, you will require better arguments than those which the member has advanced; he has substantially told you that the Irish Catholic church, which is, in fact, more independent than the Catholic church here, is the worst in Europe; that the Irish Catholics, our own kindred, are the worst of papists; that the distinction, a distinction made by the law, pro-

pounded by ourselves, and essential to the state, between temporal and spiritual power, is a vain discrimination, and that the people of Ireland, to be good Catholics, must be bad subjects: and finally, he has emphatically said, "that an Irish Catholic never is, never was, never will be, a faithful subject to a British Protestant king:" his words are, "they hate all Protestants and all Englishmen." Thus has he pronounced against his country three curses: eternal war with one another, eternal war with England, and eternal peace with France; so strongly does he inculcate this, that if a Catholic printer were, in the time of invasion, to publish his speech, that printer might be indicted for treason, as the publisher of a composition administering to the Catholics a stimulative to rise, and advancing the authority of their religion for rebellion. His speech consists of four parts:—1st, an invective uttered against the religion of the Catholics; 2nd, an invective uttered against the present generation; 3rd, an invective against the past; and 4th, an invective against the future: here the limits of creation interposed, and stopped the member. It is to defend those different generations, and their religion, I rise; to rescue the Catholic from his attack, and the Protestants from his defence.

The civil interference of the Pope, his assumed power of deposition, together with the supposed doctrine, that no faith was to be kept with heretics, were the great objections to the claims of the Catholics;

to convict them, the learned doctor has gone forth with a sinister zeal to collect his offensive materials, and behold he returns laden with much disputed comment, much doubtful text, much of executive decrees, and of such things as are become obsolete, because useless, and are little attended to, because very dull and very uninteresting, and wherein the learned gentleman may, for that reason, take many little liberties in the way of misquotation, or the way of suppression; all these, the fruits of his unprofitable industry, he lays before you: very kindly and liberally he does it, but of this huge and tremendous collection, you must reject a principal part, as having nothing to say to the question, namely, all that matter which belongs to the court of Rome as distinct from the church; secondly, of the remnant after that rejection, you must remove every thing that belongs to the church of Rome which is not confined to doctrine regarding faith and moral, exclusive of, and unmixed with, any temporal matter whatever; after this correction, you will have reduced this gentleman of the fifteenth century to two miserable canons, the only rewards of his labour, and result of his toil, both passing centuries before the Reformation, and therefore not bearing on the Protestant or the Reformers; the first is a canon excommunicating persons who do not abide by a profession of faith contained in a preceding canon, which notably concludes with the following observation, that virgins and married women may make themselves agreeable to God; now I cannot think such a canon can excite any grave impression or alarm in this House, passed six hundred years ago, three hundred years before the birth of the Reformation made by lay princes, as well as ecclesiastics, and never acknowledged or noticed in these islands, even in times of their popery. The other canon, that of Constance, goes to deny the force of a free passport, or safe conduct to heretics, given by temporal princes in bar of the proceedings of the church. Without going farther into that canon, it is sufficient to say, that it is positively affirmed by the Catholics, that this does not go farther than to assert the power of the church to inquire into heresy, notwithstanding any impediments from lay princes; and farther, there is an authority for that interpretation, and in contradiction to the member's interpretation, not only above his authority, but any that it is in his studies to produce: I mean that of Grotius, who mentions, that the imputation cast on the Catholics on account of this canon is unfounded. Here I stop, and submit, that the member is in the state of a plaintiff, who cannot make out his case, notwithstanding his two canons; that he has failed most egregiously, and has no right to throw the other party on their defence; however, the Catholics have gone as far as relates to him gratuitously into their case,

and have not availed themselves of the imbecility of their opponents, and they have been enabled to produce on the subject of the above charges, the opinion of six universities, to whom those charges, in the shape of queries, have been submitted: Paris, Louvaine, Salamanca, Douey, Valladolid, Alcala. These universities have all answered, and have, in their answers, not only disclaimed the imputed doctrines, but disclaimed them with abhorrence. The Catholics have not stopped here; they have drawn up a declaration of nine articles, renouncing the imputed doctrines, together with other doctrines, or views objected to them; they have gone farther, they have desired the Protestants to name their own terms of abjuration: the Protestants have done so, and here is the instrument of their compact—it is an oath framed by a Protestant parliament, principally manufactured by the honourable member himself, in which the Irish Catholics not only abjure the imputed doctrine, but are sworn to the state, and to the present establishment of the Protestant church in Ireland, and to the present state of Protestant property; this oath has been universally taken, and by this oath, both parties are concluded, the Catholics from resorting to the abjured doctrines, and the Protestant from resorting to the abjured charge; therefore, when the member imputes, as he has done, to the Catholic, the principles hereby abjured, it is not the Catholic who breaks faith with him, but it is he who breaks faith with the Catholic. He acts in violation of the instrument he himself formed, and is put down by his own authority; but the Catholics have not only thus obtained a special acquittal from the charges made against them in this debate, they have obtained a general acquittal also.

The most powerful of their opponents, the late Earl of Clare, writes as follows: "They who adhere to the church of Rome are good Catholics, they who adhere to the court of Rome are traitors;" and he quotes Lord Somers as his authority, in which he entirely acquiesces, and acknowledges their innocence in their adherence to the church of Rome as distinct from the court; a test, such as I have already mentioned is formed in Ireland, abjuring the doctrine of the court of Rome, and reducing their religion to the church of Rome. This test, together with a number of other articles, is reduced to an oath, and this oath is introduced into an act of parliament, and this oath, thus legalised, is taken universally; here again are the opponents to the Catholic, concluded by their own concessions; by tendering an oath to Catholics, they allow an oath to be a test of sincerity; by framing that oath under these circumstances, they make it a test of pure Catholicism; and by their own argument, they pronounce pure Catholicism to be innoxious; but the honourable member has gone a little

farther than pronounce the innocence of the Catholics; he has pronounced the mischievous consequences of the laws that proscribe them; he has said, in so many words, that an Irish Catholic never is, and never will be, faithful to a British Protestant king; he does not say every Catholic, for then he would include the English Catholics and those of Canada; nor does he say every Irishman must hate the king, for then he would include every Protestant in Ireland: the cause of the hatred is not then in the religion nor in the soil; it must be then in the laws, in something which the Protestant does not experience in Ireland, nor the Catholics in any country but in Ireland, that is to say, in the penal code; that code then, according to him, has made the Catholics enemies to the king; thus has he acquitted the Catholics and convicted the laws. This is not extraordinary, it is the natural progress of a blind and a great polemic; such characters, they begin with a fatal candour, and then precipitate to a fatal extravagance: and are at once undermined by their candour and exposed by their extravagance: so with the member, he hurries on, he knows not where, utters, he cares not what, equally negligent of the grounds of his assertions and their necessary inferences; thus, when he thinks he is establishing his errors, unconsciously and unintentionally he promulgates truth, or rather, in the very tempest of his speech, Providence seems to govern his lips, so that they shall prove false to his purposes, and bear witness to his refutations; interpret the gentleman literally, what blasphemy has he uttered? He has said, that the Catholic religion, abstracted as it is at present in Ireland from Popery, and reduced as it is to mere Catholicism, is so inconsistent with the duties of morality and allegiance, as to be a very great evil. Now, that religion is the Christianity of two-thirds of all Christendom; it follows, then, according to the learned doctor, that the Christian religion is in general a curse: he has added, that his own countrymen are not only depraved by religion, but rendered perverse by nativity; that is to say, according to him, blasted by their Creator, and damned by their Redeemer. In order, therefore, to restore the member to the character of a Christian, we must renounce him as an advocate, and acknowledge that he has acquitted the Catholics whom he meant to condemn, and convicted the laws which he meant to defend. But though the truth may be eviscerated from the whole of the member's statement, it is not to be discerned in the particular parts, and therefore it is not sufficient to refute his arguments; it is necessary to controvert his positions—the Catholics of Ireland, he says, hate the Protestants, hate the English, and hate the king. I must protest against the truth of this position; the laws, violent as they were, mitigated as for the

last seventeen years they have been, the people, better than the laws, never could have produced that mischief: against such a position I appeal to the conscious persuasion of every Irishman. We will put it to an issue: the present chief governor of Ireland is both an Englishman and the representative of English government. I will ask the honourable gentleman whether the Irish hate him? If I could believe this position, what could I think of the Protestant ascendancy, and what must I think of the British connexion and government, who have been for six hundred years in possession of the country, with no other effect, according to this logic, than to make its inhabitants abhor you and your generation; but this position contains something more than a departure from fact: it says, strike France, strike Spain, the great body of the Irish are with you; it does much more, it attempts to give the Irish a provocation, it teaches you to hate them, and them to think so, and thus falsehood takes its chance of generating into a fatal and treasonable truth. The honourable gentleman, having misrepresented the present generation, mis-states the conduct of their ancestors, and sets forth the past rebellions as proceeding entirely from religion. I will follow him to those rebellions, and show, beyond his power of contradiction, that religion was not, and that proscription was, the leading cause of those rebellions. The rebellion of 1641, or let me be controverted by any historian of authority, did not proceed from religion; it did proceed from the extermination of the inhabitants of eight counties in Ulster, and from the foreign and bigoted education of the Catholic clergy, and not from religion. The rebellion of the Pale, for it was totally distinct in period or cause from the other, did not proceed from religion: loss of the graces (they resembled your petition of right, except that they embraced articles for the security of property), disarmament of the Catholics, expulsion of them in that disarmed state from Dublin, many other causes, order for the execution of certain priests; you will not forget there was an order to banish their priests in James the First's time, and to shut up their chapels in Charles the First's; these were the causes: there was another cause—you were in rebellion, Scotland was in rebellion; there was another cause, the Irish government was in rebellion; they had taken their part with the republicans, and wished to draw into treason the Irish freeholders, that, with the forfeiture of another's rebellion, they might supply their own. I go back with concern to these times, I see much blood, no glory; but I have the consolation to find, that the causes were not lodged in the religion or the soil, and that all of them, but the proscriptive cause, have vanished. I follow the member to another rebellion, which should properly be called a civil war, not

a rebellion; it proceeded from a combination of causes which exist no longer, and one of those causes was the abdicating king at the head of the Catholics; and another cause was the violent proscription carried on against the Catholics by the opposite and then prevailing party: these causes are now no more, or will the member say there is now an abdicating prince, or now a popish plot, or now a pretender. There are causes most certainly sufficient to alarm you, but very different, and such as can only be combated by a conviction, that as your destinies are now disposed of, it is not the power of the Catholics which can destroy, or the exclusion of the Catholics that can save you. The conclusion I draw from the history above alluded to, is very different from that drawn by the member, and far more healing; conclusions to show the evils arising from foreign connexions on one side, and from domestic proscription on the other. If all the blood shed on those occasions, if the many fights in the first, and the signal battles in the second period, and the consequences of those battles to the defeated and the triumphant—to the slave that fled, and to the slave that followed—shall teach our country the wisdom of conciliation, I congratulate her on those deluges of blood; if not, I submit, and lament her fate, and deplore her understanding, which would render not only the blessings of Providence, but its visitations fruitless, and transmit what was the curse of our fathers as the inheritance of our children.

The learned gentleman proceeds to mis-state a period of one hundred years—namely, the century that followed the revolutions; and this he makes a period of open or concealed rebellions; the sources of his darkness and misinformation are to be found in history and revelation: of his charges against that period he brings no proof; none of those on the same side with him can bring any: they heard from such a one who heard from such a one; I neither believe them nor such a one, and I desire so many generations may not be convicted on evidence that would not be admitted against the vilest caitiff, and that in opposition to evidence by which that vilest caitiff would be acquitted, in opposition to the authority of four acts of parliament; the act of 1778, which declares their loyalty for a long series of years, that of 1782, that of 1793, and further, against the declared sense of government, who, in the year 1762, proposed to raise four Catholic regiments, because the Catholics had proved their allegiance against the authority of the then Irish Primate, who supported that measure; and in his speech on that subject assigns, as his reason, that after his perusal of Mr. Murray's papers, nothing appeared against the Irish Catholics of any connection whatsoever with the rebellion of that pe-

riod. The member, he proceeds to the rebellion of 1798, and this he charges to the Catholics; and against his charge I appeal to the report of the committee of the Irish House of Commons in 1797, in which is set forth the rebel muster, containing 99,000 northerns enrolled in rebellion, and all the northern counties organised: at the time in which the committee of the House of Commons states the rebellion of the north, the dispatches of government acknowledged the allegiance of the south; to those dispatches I appeal, written at the time of Hoche's projected invasion, and applauding the attachment and loyalty of the southern counties, and their exertions to assist the army on its march to Cork, to oppose the landing of the French. If you ask how the rebellion spread and involved the Catholics, I will answer, and tell you, that as long as the proscriptive system continues, there will be in our country a staminal weakness, rendering the distempers to which society is obnoxious, not only dangerous, but deadly; every epidemic disease will bring the chronic distemper into action; it is the grape-stone in the hand of death which strikes with the force of a thunderbolt. If you have any apprehension on this account, the error is to be found in yourselves, in human policy, not in religion; in the fallibility of man, not of God. If you wish to strip rebellion of its hopes, France of her expectations, reform that policy; you will gain a victory over the enemy, when you gain a conquest over yourselves. But I will for a moment accede to the member's statement against facts and history: what is his inference? during one hundred years of the proscriptive system, the state has been in imminent danger; therefore, adds he, continue the system, here is the regimen under which you have declined—persevere: but the member proceeds to observe, that you cannot hope to reconcile whom you cannot hope to satisfy, and he instances the repeal of the penal code. I deny the instances: the repeal in 1778 and 1782 did reconcile and did satisfy; accordingly you will find, that the Irish Catholics in 1779 and 1780, 1781 and 1782, were active and unanimous to repel the invasion threatened at that time, when the French rode in the channel, and Ireland was left to the care of 6000 regulars, and was only defended from invasion by the spirit and loyalty of the Catholics, in harmony and in arms with their Protestant brethren. The repeal of a principal part of the penal code in 1793 did not reconcile, and did not satisfy; it was, because the Irish government of that time was an enemy to the repeal and to the Catholics, and prevented the good effects of that measure. That government, in the summer of 1792, had sent instructions (I know the fact to be so) to the grand juries to enter into resolutions against the claims of the Catholics. Their leading

minister appeared himself at one of the county meetings, and took a memorable part of hostility and publicity. When the petition of the Catholics was recommended in the King's specch in 1793, the Irish minister answered the King, and with unmeasured severity attacked the petitioners. When the bill, introduced in consequence of His Majesty's recommendation, was in progress, the same minister, with as unmeasured severity, attacked the bill, and repeated his severity against the persons of the Catholics. When the same bill of reconciliation, in consequence of the recommendation and reference of the petition, was in its passage, the Irish government attempted to hang the leading men among the petitioners, and accordingly Mr. Bird and Mr. Hamilton were, by their orders, indicted for a capital offence, I think it was Defenderism; and so little ground was there for the charge, that those men were triumphantly acquitted, and the witnesses of the crown so flagrantly perjured, that the judge, I have heard, recommended a prosecution. These were the causes why the repeal of 1793 did not satisfy; and in addition to these, because the Irish administration took care that the Catholics should receive no benefit therefrom, opposing them with their known partizans and dependants, seldom giving them any office (there are very few instances in which they got any), and manifesting in the government a more active enemy than before the Catholic had experienced in the law. I refer to the speeches delivered and published at the time by the ministers and servants of the Irish government, and persisted in, and delivered since; read them, and there you will see an attack on all the proceedings of the Irish people; from the time of their address for free trade, all their proceedings, such as were glorious, as well as those that were intemperate, without discrimination, moderation, or principle; there you will see the Irish ministry engaged in a wretched squabble with the Catholic committee, and that Catholic committee replying on that ministry, and degrading that ministry more than it had degraded itself; and you will further perceive the members of that ministry urging their charges against the members of that committee, to disqualify other Catholics who were not of the committee, but opposed it; so that by their measures against the one part of the Catholics, and their invective against the other, they take care to alienate, as far as in them lay, the whole body. The fact is, the project of conciliation in 1793, recommended in the speech from the throne, was defeated by the Irish cabinet, who were at that time on that subject in opposition; and being incensed at the British cabinet for the countenance afforded to the Catholics, punished the latter, and

sowed those seeds which afterwards, in conjunction with other causes, produced the rebellion.

I leave the member, and proceed to discuss the differences now remaining that discriminate His Majesty's subjects of the Protestant and Catholic persuasion. Before we consider how far we differ, it is necessary to examine how far we agree; we acknowledge the same God, the same Redeemer, the same consequences of redemption, the same Bible, and the same Testament. Agreeing in this, we cannot, as far as respects religion, quarrel about the remainder; because their merits as Christians must, in our opinion, outweigh their demerits as Catholics, and reduce our religious distinctions to a difference about the eucharist, the mass, and the Virgin Mary; matters which may form a difference of opinion, but not a division of interest. The infidel, under these circumstances, would consider us as the same religionists, just as the French would consider us, and cut us down as the same community. See whether we are not agreed a little farther, and united by statute as well as religion; the preamble of three acts declare the Catholics to be loyal subjects; the act of 1778 declares that they have been so for a series of years; the same act declares that they should be admitted into the blessings of the constitution: the act of 1793 goes farther, and admits them into a participation of those blessings; thus is the principle of identification established by the law of the land, and thus are the Catholics, by that law, proclaimed to be innocent, and the calumniators of the Catholics guilty. Let us consider their situation under these laws, professedly and in principle admitted to everything except seats in parliament, and certain offices of state; they are, in fact, excluded from everything, under the circumstances of paying for everything (the few places they enjoy make no exception); they pay their proportion of money to the navy, and contribute one-third to its numbers, and have not a commission; they contribute to the expenses of the army, and to one-third of its numbers, and have not a commission; and shall I now be asked, how are the Catholics affected by this? or be told that the Catholic body would not be served by the removal of this; how would the Protestant body be affected, if only removed from the state, the parliament, the navy, and the army? in addition to this, I am to add the many minor injuries done to the Catholics, in ways that must be felt, and cannot be calculated; the incalculable injury done to the Catholic mind, by precluding it from objects of ambition, and to the Catholic spirit, by exposing it to taunts and insults—you cannot be at a loss for an instance, such as is uttered by the vilest of the Protestants

against the first of the Catholics. I am to add the mischief done to the morals of the country, by setting up a false standard of merit, by which men, without religion, morals, or integrity, shall obtain, by an abhorrence of their fellow-subjects, credit and consequence, and acquire an impunity for selling the whole community, because they detest a part of it. You see it is impossible for any one part of the society to afflict the other, without paying the penalty, and feeling the consequences of its own bad policy in the re-action of its own bad passions. I am to add the mischief done to the peace of the country among the lower orders, when the spirit of religious discord descends, and the holiday becomes a riot, and the petty magistrate turns chapman and dealer in politics, theologian and robber, makes for himself a situation in the country, by monstrous lies, fabricates false panics of insurrection and invasion, then walks forth the man of blood; his creditors tremble; the French do not; and atrocities, which he dare not commit in his own name, perpetrates for the honour of his king, and in the name of his Maker. I have heard of the uncivilization of Ireland; too much has been said on that subject: I deny the fact: a country exporting above five millions, even at your official value, above half a million of corn, three millions of linen, paying nine million to the state, cannot be barbarous; a nation connected with you for six hundred years (what do you say?) cannot be barbarous. If France should say so, you should contradict her, because it is not on Ireland, but on you the reflection must fall; but if anything, however, delays the perfect and extensive civilization of Ireland, it is principally her religious animosity; examine all the causes of human misery, the tragic machinery of the globe, and the instruments of civil rage and domestic murder, and you find no demon is like it, because it privileges every other vice, and amalgamates with infidelity, as well as with murder; and conscience, which restrains other vices, becomes a prompter here. To restrain this waste, and this conquest, exercised over your understanding, your morals, and your fortune, my honourable friend makes his motion. Come, let us hear the objections: the Catholics, they say, should not have political power: why, they have it already; they got it when you gave them landed property, and they got it when you gave them the elective franchise. "Be it enacted, that the Catholics shall be capable of holding all offices (civil and military, except") and then the act excludes a certain numeration.

This is the act of 1793; and is not this political power allowed by act of parliament? So that the objection goes not so much against the petition as against the law, and the law is the answer to it. The

reasons they give for objecting to the law are, first, That the Catholics do not acknowledge the King to be the head of their church. To require a person of the Catholic faith to acknowledge a person of another religion, who makes no very encouraging declarations towards them, to be the head of the Catholic church, is going very far; but to make the withholding such acknowledgment, the test of disaffection, is going much farther; farther than reason, and farther than the law, which does not require such test, but is satisfied with a negative oath, and therefore the Presbyterian who makes no such acknowledgment may sit in parliament; so that here the objector is answered again by the law, and the reason he gives in opposition to the law shows that the legislature is wiser than the objector. The reason alleged is, that he who allows his Majesty to be the head of his church has more allegiance, because he acknowledges the king in more capacities; according to this, the Turk has more allegiance than either, for he acknowledges the Grand Seignior in all capacities; and the Englishman has less allegiance than any other subject in Europe, because, whereas other European subjects acknowledge their king in a legislative as well as an executive capacity, the English acknowledge their king in the latter capacity only; but such men know not how to estimate allegiance which is not measured by the powers which you give, but by the privileges which you keep: thus your allegiance is of an higher order, because it is rendered for the proud circumstances belonging to an Englishman, to the peer who has his rank, the commoner who has his privileges, and the peasant who has his magna charta. The Catholic too—he has an interest in his allegiance; increase that interest, that is, increase this privilege, you increase the force of the obligation, and with it your own security; but here again the objector interposes, and alleges, that the Catholic does not only not acknowledge the king to be the head of their church, but acknowledges a foreign power:—whom? I cannot find him. There was, indeed, a power which you set up in the last war and guarded with your troops; is that the memory at which gentlemen tremble? A sort of president, or chair, in whose name the business of the Catholic church is conducted, for whom no Catholic would fight, and against whom the Irish Catholic would fight, if he came into their country at the head of an invading army; they have said so. You will recollect how little you yourselves feared that name, when you encompassed and preserved it, at the very time of the Irish rebellion; and now do gentlemen set it up and bring it back again into the world, as a principle likely to influence the action of the Irish? But then I here

received an answer to this, viz. that Bonaparte has gotten possession of the power and person of the Pope. What power? He had no power before his captivity, and therefore he became a captive; he has not found his power in his captivity, or will you say, that he could now disband an Austrian army or an Irish army, or that if he were to issue out his excommunications, your seamen and soldiers would desert. Such the power of the Pope, such your fear of it, and such is the force of their argument. What is the policy of it? Bonaparte has gotten the Pope; give him the Catholics: but here the objector interposes again, and tells us, it is in vain to look for harmony with the Catholics, inasmuch as they deliver us, the Protestants, to damnation: gravely they say this, soberly they say this, in the morning, and according to this you must not only repeal your laws of toleration, but you must disband part of your army and your navy, and disqualify your electors. The Catholic who hears this produces a Protestant creed, which does the same thing, and damns his sect likewise; the infidel, who listens, agrees with both, and triumphs and suggests that it were better not to cast off your people, but to shake off your religion. So Volney makes all sects contend, and all conquer, and religion the common victim; the truth is, exclusive salvation was the common frenzy of all sects, and is the religion of none, and is now not rejected by all, but laughed at; so burning one another as well as damning one another, you can produce instances—they can produce instances: it was the habit of the early Christians to anathematize all sects but their own. No religion can stand, if men, without regard to their God, and with regard only to controversy, shall rake out of the rubbish of antiquity the obsolete and quaint follies of the sectarians, and affront the majesty of the Almighty, with the impudent catalogue of their devices; and it is a strong argument against the proscriptive system, that it helps to continue this shocking contest; theologian against theologian, polemic against polemic, until the two madmen defame their common parent, and expose their common religion. With arguments such as these it is urged, that the laws were in error which gave the Catholic political power; and, it is further added, that he will use that political power to destroy the church. I do not think they have now said, He will destroy the present state of property: bigotry has retired from that post, and has found out, at last, that the Catholics cannot repeal the act of settlement in Ireland, by which the property of the country was ascertained, until they become the parliament; nor become the parliament, till they get the landed property of the country; and, that when they get that property, that they will not pass an act to set aside their titles to it. Further,

it is now understood that the Protestant title is by time; that there are few old Catholic proprietors, a multitude of new ones; that the Catholic tenantry hold under Protestant title; and, therefore, that there is, in support of the present state of property in Ireland, not only the strength of the Protestant interest, but the physical force of the Catholics; therefore, the objectors have judiciously retired from that ground, and now object to Catholic power, as certain to destroy the Protestant church. How? They must do it by act of legislation, or by act of force; by act of legislation they cannot, and by force they would not: they would not by act of force, because the measures proposed, which do not go to increase the force, do go decisively to remove the animosity: or will you say, when you give them every temporal motive to allegiance, they will become rebels; that when, indeed, they had rights of religion, rights of property, rights of election, they were loyal; but when you gratified their ambition likewise, then they became disaffected, and ready to sacrifice all their temporal rights and political gratifications. In order to do what? To get a larger income for their clergy; that is, that their bishops should drink more claret, and wear finer clothes; and with whose assistance should they do this? With the aid of the French, who starve their clergy; the ordinary principles of action: the human motives that direct other men, according to these reasoners, are not to be found in the Catholic; nature is in him reversed; he is not influenced by the love of family, of property, of privilege, of power, or any human passions, according to his antagonists, no more than his antagonists appear in their logic influenced by human reason; and, therefore, it is, these reasoners deal mostly in the prophetic strain—a prophet's fury, and his blindness, much zeal, and no religion. I would ask them, what authority have they for thus introducing the church as an obstacle to the advantages of the state. Is it political, or is it moral, to deprive the Catholics of the franchises of the constitution, because they contribute to the church, lest on obtaining those franchises they should pass laws withholding that contribution, as if you had any right to make that supposition, or any right to insist on that perilous monopoly, which should exclude them at once from church and state, that they might pay for both without compensation? The great preachers of our capital have not said so; Mr. Dunn, that meek spirit of the gospel, he has not said so; Mr. Douglass, in his strain of piety, morals, and eloquence, he has not said so; nor the great luminary himself; he who has wrung from his own breast, as it were, near £60,000, by preaching for public charities, and has stopped the mouth of hunger with its own bread, HE has not said so. I ask not what politicians

may instil and may whisper, but what have the laborious clergymen preached and practised?

But the Revolution, it seems, is an eternal bar: they find the principles of slavery in the Revolution, and they have found those of darkness in the Revelation. If they mean to measure the privileges of the empire by the model existing at the Revolution, they must impose on Ireland eternal proscription; for at that time she was deprived of the rights of trade and constitution, and the Catholics of all rights whatsoever; and they must impose on the empire two opposite principles of action, the free system of England, and the proscriptive principle for the rest; they are then to make Ireland fight for British liberty and Irish exclusion; their argument is, therefore, not only a wicked wish, but a vain one; nor is this the practice of other countries—those countries do not require the religion of the public officer to be the religion of the state; their practice has been notoriously otherwise: they who said the contrary labour under a glaring error; nor will you be able to encounter France and the other nations of Europe, if they shall avail themselves of the talents of all their people, and you will oppose them by only a part of yours. It follows, then, whether you look to the principles of liberty or empire, that you cannot make the proscriptive system of the Revolution the measure of empire; you must then make the principles of the Revolution that measure; what are those principles?—Civil and religious liberty: they existed at that time in full force for you; they existed as seminal principles for us; they were extended to the Protestant part of Ireland a century after; they remain now to be extended to the Catholics; then will the Revolution be completed, not overthrown; then will you extend the principles of your empire on those of your constitution, and have secured an uniformity of action, by creating an identity of interest; thus will you have simplified the imperial and constitutional motions to one and the same principle of action, moving you in your home and in your imperial orbit, informing the body of your laws, and vivifying the mass of your empire. The petition of the county of Oxford states, the Catholics have ever been enemies to freedom, just as the controversialists have said the Catholics must be enemies to the King; yet the Revolution, from whose benefits you are to exclude the Catholics, was founded on a model formed and moulded by Catholics; the declaration of right being almost entirely declaratory of rights and privileges secured by your Catholic ancestors: one of your great merits at the Revolution was not to have exceeded that model; but, on the contrary, you restrained popular victory, and restored establishments, and kindled a modest spirit, which has outlasted the French conflagration;

a vital heat which then cheered you, which now should cheer the Catholic, and giving light and life to both, I hope will be eternal. The great objects, church, state, and property, I adopt with the controversialist, and beg to rescue them from his wisdom, to give them, for their support, the physical force of the Catholic body, inasmuch as our danger does not arise from the possible abuse of his constitutional power, but from the possible abuse of his physical force to obtain that constitutional power. In all this debate, you will observe, we argue as if we had but one enemy, the Catholic, and we forget the French; and here, what I said to the Irish Parliament on the Catholic question I will repeat to you: I said to them, "The post you take is injudicious—independency of the British Parliament, exclusion of the Irish Catholics—a post to be kept against the power of one country and the freedom of the other."

I now say to you, the post you would take is injudicious; a position that would keep France in check, and Ireland in thraldom; to be held against the power of one country and the freedom of the other. There are three systems for Ireland; one, such as Primate Boulter has disclosed, a system to set the people at variance, on account of religion, that the government might be strong and the country weak; a system (such a one as prevailed when I broke her chain), which made the minister too strong for the constitution, and the country too weak for the enemy; a system which one of its advocates had described, when he said the Protestants of Ireland were a garrison in an enemy's country; and which another gentleman has described, when he considered Ireland as a *caput mortuum*: this system has failed; it ought to have failed: it was a party government and a party god.

There is another—extermination, that will not do: the extermination of three millions of men would be no easy task in execution, no very charitable measure in conception; the justices of 1641 had dreamed of it, Cromwell had attempted, Harrington had talked of it. I hold the extermination of the people, and even of their hierarchy, to be such an experiment as will not be proposed by any gentleman who is perfectly in his senses; extermination then will not do; what is left? the partial adoption of the Catholics has failed; the eradication of the Catholics cannot be attempted; the absolute incorporation remains alone; there is no other; or did you think it necessary to unite with the Irish Parliament, and do you hesitate to identify with the people? see whether you can conduct your empire on any other principle. The better to illustrate this, and in order to ascertain the principles of your empire, survey its comprehension; computing your West Indies and your eastern dominions, England has now, with all

deference to her moderation, a very great proportion of the globe. On what principle will she govern that portion? On the principles on which Providence governs the remainder: when you make your dominions commensurate with a great portion of her works, you should make your laws analogous to her dispensations; and as there is no such thing as an exclusive Providence, so neither, considering the extent of your empire, should there be such a thing as an exclusive empire, but such a one as accommodates to peculiar habits, religious prejudices, prepossessions, &c. &c. You do not, in your dispatches to your generals, send the Thirty-nine Articles; you know the bigot and conqueror are incompatible: Lewis XIV. found it so. You know that no nation is long indulged in the exercise of the two qualities, bigotry to proscribe at home, ambition to disturb abroad: such was your opinion when you established Popery in Canada; I do not speak of Corsica: such your opinion when you recruited for the foot in Ireland. It was in the American war this practice began; then you found that the principle of exclusive empire would not answer, and that her test was not who should say her prayers, but who should fight her battles: on the same principle the Irish militia, which must be in a great proportion Catholic, stand; and on the same principle the Irish yeomanry, who must be in a far more considerable proportion Catholic, stand; and on the same principle you have recruited for the navy in Ireland, and have committed your sea thunder-bolt to Catholic hands. Suppose in Egypt the general had ordered the Catholics to go out of the ranks; or, if in one of your sea-fights, the admiral had ordered all the Catholics on shore, what had been the consequence? It is an argument against the proscriptive system, that if adopted practically in navy or army, the navy and army, and empire would evaporate; and shall we now proclaim these men, or hold such language as the member; language, which if he held on the day of battle, he must be shot; language for which, if a Catholic, he must be hanged; such as you despised in the case of Corsica and of Canada, in the choice of your allies; in the recruiting of your army and your navy whenever your convenience, whenever your ambition, whenever your interest required. Or let us turn from the magnitude of your empire to the magnitude of its danger, and you will observe, that whereas Europe was heretofore divided in many small nations of various religions, making part of their civil policy and with alliances, influenced in some degree and directed by those religious distinctions, where civil and religious freedom were supposed to be drawn up on one side, and on the other, Popery and arbitrary power; so now the globe has been divided anew —England and France. You have taken a first situation among man-

kind, you are of course precluded from a second. Austria may have a second situation, Prussia may have a second, but England seems to have linked her post and being to her glory, and when she ceases to be the first she is nothing. According to this supposition, and it is a supposition which I do not frame, but find in your country, the day may not be very remote, when you will have to fight for being, and for what you value more than being, the ancient renown of your island: you have said it yourselves, and you have added, that Ireland is your vulnerable part: why vulnerable?—Vulnerable, because you have misgoverned her. It may then happen that on Irish ground, and by an Irish hand, the destinies of that ancient monarchy, called Britain, may be decided. Accordingly you have voted your army, but you have forgot to vote your people; you must vote their passions likewise. Horrors at the French proceedings will do much, but it is miserable to rely on the crimes of your enemies always, on your own wisdom never; besides, those horrors did not prevent Prussia from leaving your alliance, nor Austria from making peace, nor the United Irishmen from making war. Loyalty will do much; but you require more—patience under taxes and loans, such as are increased far beyond what we have been accustomed to, from one million and a half to nine millions, nor patience only, but ardour. The strong qualities, not such as the scolding dialect of certain gentlemen would excite; a fire, that in the case of an invasion will not sit as a spy on the doubt of the day and calculate, but though the first battle should be unsuccessful, would, with a desperate fidelity, come on and embody with the destinies of England. It is a wretched thing to ask how would they act in such a case. What! after a connexion of six hundred years, to thank your admiral for your safety, or the wind, or anything but your own wisdom; and, therefore, the question is not whether the Catholics shall get so many seats, but whether you shall get so many millions; in such a case you will have all people. What is it that constitutes the strength and health of England but this sort of vitality, that her privileges, like her money, circulate everywhere, and centre nowhere; this it was which equality would have given, but did not give France; this it was which the plain sense of your ancestors, without equality, did give the English; a something, which limited her kings, drove her enemies, and made a handful of men fill the world with their name. Will you, in your union with Ireland, withhold the regimen which has made you strong, and continue the regimen which has made her feeble? You will further recollect, that you have invited her to your patrimony, and hitherto you have given her taxes, and an additional debt; I believe it is an addition of twenty-six millions: the other

part of your patrimony, I should be glad to see it; talk plainly and honestly to the Irish: "It is true your taxes are increased, and your debts multiplied; but here are our privileges, great burthens, and great privileges; this is the patrimony of England, and with this does she assess, recruit, inspire, consolidate." But the Protestant ascendancy, it is said, alone can keep the country; namely, the gentry, clergy and nobility against the French, and without the people: it may be so; but in 1641, above ten thousand troops were sent from England to assist that party; in 1689, twenty-three regiments were raised in England to assist that party; in 1798, the English militia were sent over to assist that party: what can be done by spirit will be done by them; but would the city of London, on such assurances, risk a guinea? The Parliament of Ireland did risk everything, and are now nothing; and in their extinction left this instruction, not to their posterity for they have none; but to you, who come in the place of their posterity, not to depend on a sect of religion, nor trust the final issue of your fortunes to anything less than the whole of your people.

The Parliament of Ireland—of that assembly I have a parental recollection. I sate by her cradle, I followed her hearse. In fourteen years she acquired for Ireland what you did not acquire for England in a century—freedom of trade, independency of the legislature, independency of the judges, restoration of the final judicature, repeal of a perpetual mutiny bill, habeas corpus act, nullum tempus act—a great work! You will exceed it and I shall rejoice. I call my countrymen to witness, if in that business I compromised the claims of my country, or temporised with the power of England; but there was one thing which baffled the effort of the patriot, and defeated the wisdom of the senate, it was the folly of the theologian. When the Parliament of Ireland rejected the Catholic petition, and assented to the calumnies then uttered against the Catholic body, on that day she voted the Union: if you should adopt a similar conduct, on that day you will vote the separation: many good and pious reasons you may give; many good and pious reasons she gave, and she lies THERE with her many good and her pious reasons. That the Parliament of Ireland should have entertained prejudices, I am not astonished; but that you, that you who have, as individuals and as conquerors, visited a great part of the globe, and have seen men in all their modifications, and Providence in all her ways; that you, now at this time of day, should throw up dikes against the Pope, and barriers against the Catholic, instead of uniting with that Catholic to throw up barriers against the French, this surprises; and, in addition to this, that you should

have set up the Pope in Italy, to tremble at him in Ireland; and further, that you should have professed to have placed yourself at the head of a Christian not a Protestant league, to defend the civil and religious liberty of Europe, and should deprive of their civil liberty one-fifth of yourselves, on account of their religion—this surprises me; and also that you should prefer to buy allies by subsidies, rather than fellow-subjects by privileges; and that you should now stand, drawn out, as it were, in battalion, 16,000,000 against 36,000,000, and should at the same time paralyze a fifth of you own numbers, by excluding them from some of the principal benefits of your constitution, at the very time you say all your numbers are inadequate, unless inspired by those very privileges.

As I recommend to you to give the privileges, so I should recommend the Catholics to wait cheerfully and dutifully. The temper with which they bear the privation of power and privilege is evidence of their qualification: they will recollect the strength of their case, which sets them above impatience; they will recollect the growth of their case from the time it was first agitated, to the present moment; and, in that growth, perceive the perishable nature of the objections, and the immortal quality of the principle they contend for. They will further recollect what they have gotten already—rights of religion, rights of property, and above all, the elective franchise, which is in itself the seminal principle of everything else: with a vessel so laden, they will be too wise to leave the harbour, and trust the fallacy of any wind: nothing can prevent the ultimate success of the Catholics but intemperance. For this they will be too wise; the charges uttered against them they will answer by their allegiance: so should I speak to the Catholics. To the Protestant I would say, You have gotten the land and powers of the country, and it now remains to make those acquisitions eternal. Do not you see, according to the present state and temper of England and France, that your country must ultimately be the seat of war. Do not you see, that your children must stand in the front of the battle, with uncertainty and treachery in the rear of it. If, then, by ten or twelve seats in parliament given to Catholics, you could prevent such a day, would not the compromise be everything? What is your wretched monopoly, the shadow of your present, the memory of your past power, compared to the safety of your families, the security of your estates, and the solid peace and repose of your island? Besides, you have an account to settle with the empire: might not the empire accost you thus? "For one hundred years you have been in possession of the country, and very loyally have you taken to yourselves the power and profit thereof. I am now to receive

at your hands the fruits of all this, and the unanimous support of your people: where is it? now, when I am beset with enemies and in my day of trial." Let the Protestant ascendancy answer that question, for I cannot. Above twenty millions have been wasted on their shocking contest, and a great proportion of troops of the line locked up in the island, that they may enjoy the ascendancy of the country, and the empire not to receive the strength of it. Such a system cannot last: their destinies must be changed and exalted; the Catholic no longer their inferior, nor they inferior to every one, save only the Catholic; both must be free, and both must fight,—but it is the enemy, and not one another: thus the sects of religion renouncing, the one all foreign connexion, and the other all domestic proscription, shall form a strong country; and thus the two islands, renouncing all national prejudices, shall form a strong empire—a phalanx in the west to check, perhaps ultimately to confound the ambition of the enemy. I know the ground on which I stand, and the truths which I utter, and I appeal to the objects you urge against me, which I constitute my judges, to the spirit of your own religion, and to the genius of your own revolution; and I consent to have the principle which I maintain tried by any test, and equally sound, I contend, it will be found, whether you apply it to constitution where it is freedom, or to empire where it is strength, or to religion where it is light.

Turn to the opposite principle, proscription and discord—it has made in Ireland not only war, but even peace calamitous: witness the one that followed the victories of King William, to the Catholics a sad servitude, to the Protestants a drunken triumph, and to both a peace without trade and without constitution. You have seen in 1798 rebellion break out again, the enemy masking her expeditions in consequence of the state of Ireland, twenty millions lost, one farthing of which did not tell in empire, and blood barbarously, boyishly, and most ingloriously expended. These things are in your recollection: one of the causes of these things, whether efficient, or instrumental, or aggravating, the proscriptive system I mean, you may now remove; it is a great work!—or has ambition not enlarged your mind, or only enlarged the sphere of its action? What the best men in Ireland wished to do but could not do, the patriot courtier, and the patriot oppositionist, you may accomplish. What Mr. Gardiner, Mr. Langrishe, men who had no views of popularity or interest, or any but the public good; what Mr. Daly, Mr. Burgh, men whom I shall not pronounce to be dead, if their genius live in this measure; what Mr. Forbes, every man that loved Ireland; what Lord Pery, the wisest man Ireland ever produced; what Mr. Hutchinson, an able, accomplished, and

enlightened servant of the Crown; what Lord Charlemont, superior to his early prejudices, bending under years, and experience, and public affection; what that dying nobleman; what our Burke; what the most profound divine, Dr. Newcome, for instance, our late Primate (his mitre stood in the front of that measure); what these men supported, and against whom? Against men who had no opinion at that time, or at any time, on the subject, except that which the minister ordered, or men, whose opinions were so extravagant, that even bigotry must blush for them: and yet those men above mentioned had not before them considerations which should make you wise—that the Pope has evaporated, and that France has covered the best part of Europe. That terrible sight is now before you; it is a gulf that has swallowed up a great portion of your treasure, it yawns for your being—were it not wise, therefore, to come to a good understanding with the Irish now; it will be miserable if anything untoward should happen hereafter, to say we did not foresee this danger; against other dangers, against the Pope we were impregnable; but if, instead of guarding against dangers which are not, we should provide against dangers which are, the remedy is in your hands—the franchises of the constitution. Your ancestors were nursed in that cradle, the ancestors of the petitioners were less fortunate, the posterity of both born to new and strange dangers; let them agree to renounce jealousies and proscriptions, in order to oppose what, without that agreement, will overpower both. Half Europe is in battalion against us, and we are damning one another on account of mysteries, when we should form against the enemy, and march.

25th May, 1808.

The petition which the House has just heard read, contains the sentiments of the Catholics of Ireland: not only that petition, but the other petitions presented this day speak the sense of that body. I may therefore fairly assume, that they speak the sentiments of four-fifths of the Irish population. The petitions come from a considerable portion of your electors, having political power, forming a part of the United Kingdom, and applying to the constitutional organ for a legitimate object. In discussing the merits of the petitioners' claims, I should recommend to gentlemen to avoid any intemperate language, and to adopt a spirit of concord, that nothing may pass in debate which shall sharpen the public mind. Whatever decision the House may come to upon the motion which I shall have the honour to propose, I should hope that the temper with which it will be met, and the man-

ner in which it will be argued, will rather approximate than remove to a farther distance, the great objects of justice and policy; with such hope, therefore, I wish gentlemen to apply the balm of oblivion, and not revive topics, which can only serve to irritate and inflame; that they will not go back to the battle of the Boyne, nor to the scenes of 1641, nor to any of those afflicting periods, in which both parties contended against each other. If you go back, so will the Catholics; if you make out a law against them, they will make out a case against you; we shall have historian against historian! man of blood against man of blood! the parties will remain unreconciled, and irreconcileable; each the victim of their own prejudices; and the result will convince you that the victory remains only for the enemies of both.

In the course of so many years of contest and prejudice, evils must have been engendered, national calamities must have multiplied, and much violence must have passed. In the tempests to which Ireland was reduced, by the two contending parties; the one fired by bigotry, and intoxicated with victory; the other overpowered by misfortunes, and wrung by oppression: I say, it is impossible but that great political evils must have arisen. However we may lament those times, we must all agree that in settling their accounts, there is much to admire in both parties; but there is something to forget: events have happened since these periods, which make it necessary to do away those religious distinctions. When gentlemen call to mind the war, and the consequent dangers which menace our empire, they must be convinced that unanimity is necessary for our existence.

A cordiality in co-operation, is what I strenuously recommend; and I most sincerely hope, that the good sense of both nations, will supply the want of national concord. We are now arrived at that period, when the cessation of all party rancour, and religious animosity, is not only desirable, but indispensable: it is a sentiment which not only the Irish Catholic and the Irish Protestant should feel, but which should be the guide of both nations in their intercourse with each other.

With great concern, therefore, I saw scribbled on the walls of this country, these idle words "No popery." What could be the object, or the hope of those who encouraged so wicked and abominable a cry, I cannot pretend or divine. It could not be for the purpose of promoting unanimity, nor of adding to the national strength: on the contrary, it had this effect, that it held out to the people of Ireland, and to the world, this country as a people devoted to civil commotion, as a nation of fanatics, incompetent to any other purpose but fanaticism, and incapable of acting with energy against the enemy of the British empire. The counter petitions which were presented upon a former

occasion, were the sentiments of well-meaning men, who, when they fled from the shadow of the Pope, were precipitated into that gulf, into which so many nations had fallen and continue to fall. It gives me great pleasure to see, that the sense of public danger has recalled men's minds from those narrow principles, which a ridiculous fear of popery had so long encouraged; those fears are now removed, and therefore it is, that you do not find upon the table of this House any petition against the Roman Catholics, (save one presented this day.) Such symptoms augur well for the security of the empire, and I congratulate the public upon it; it is an example of liberality worthy of the wisdom of a great nation, of that wisdom which prompted you to form an alliance with Austria: you restored the Pope; you took Catholics into your pay; you afforded protection to the family of Portugal; you lent aid and assistance to transplant that family to South America; you planted popery there. In so doing, you acted wisely. You have shown the innocence of the Catholic religion; that there is nothing in it dangerous to the state; and you have thereby falsified all those idle notions of the vices, which some persons attributed to that mode of faith. I then ask of you this night, on behalf of your fellow-subjects, that, in the same spirit of wisdom and of liberality, you would extend to one-fifth of your countrymen those beneficial principles, which you so wisely and liberally extended to your foreign connexions. It now remains for you to exert that wisdom on behalf of your countrymen; to show them that you are not less anxious for them, than you were for your foreign allies; to convince them that an alliance (a natural one!) with them, is not only your anxious wish, but that it is also your indispensable interest. It is on these grounds, that I shall move for the House to go into a committee on the petition. It prays that the Roman Catholics may have admissibility into the state and legislature in common with the rest of their fellow-subjects. The law has already admitted them to political power, has given them the right of suffrage, and has made them a part of the constituency of the House of Commons, and has rendered them capable of all offices, civil and military, save only certain exceptions, or enumerated offices, amounting to fifty, and seats in either House of Parliament; against these exceptions they pray, and in support of those exceptions it is argued as follows:—That those who profess the Roman Catholic faith cannot be bound by the obligation of an oath; that they are ready, if required, to depose their princes, and do not, with regard to those of another religion, hold themselves bound by the obligation of faith, or pact; that is to say, that those persons so admitted by the law into the constitution, forming a part of your army and navy, are destitute of

the principles which hold together the social order, and which form the foundation of government, and that they are thus depraved by their religion. Now, as it is the religion of the greater part of the Christian world, it would follow, that Christianity was a special interference for a few nations only, but, in general, that it had destroyed the morals of Christians. It follows, that the argument must be false, or that the Christian religion is not divine; and thence it follows, that the objection is reduced to a theological impossibility.

To throw a light on this subject, the charges above-mentioned have been reduced to three propositions, and put to the six faculties in Europe, the best authority on this subject, Paris, Louvain, Alcala, Douay, Valladolid, and Salamanca; to those queries they answer, first, That the Pope has no temporal power in this country whatsoever; second, That he cannot absolve from the oath of allegiance; third, That the doctrine that no faith should be kept with heretics is no part of the Catholic religion. They answer the questions with great promptitude, and much moral indignation, at the monstrous surmises contained in such questions; and they argue the points with much erudition, and they show that such doctrine did not belong to their religion, and that the council of Constance did not warrant the doctrine of breach of faith with heretics, and that whatever Popes might have practised, or some authors taught, yet such practices and doctrines were not warranted by the Catholic faith, but were condemned and reprobated. This authority goes to establish the present tenets of the Catholic body; and, in addition to this authority, I beg leave to mention the acts of the 13th and 14th of the King, the declaration of 1793, in which they disclaim, among other things, the position that princes excommunicated by the Pope can be deposed; and also the other charge, that no faith is to be kept with heretics; and they further renounce all claims to forfeited property. And, in addition to this, I am to add another declaration contained in the oath of the 33d of this reign, in which, among other things, they abjure the infallibility of the Pope, and swear to preserve the present act of settlement, and uphold the present state of property in Ireland, and are sworn to such an exercise of power as shall not weaken the Protestant church or Protestant state. This oath was proposed by the Protestants, made part of an act of parliament, and thus, by the Protestants themselves, made the test of their principles.

To this I beg to add their catechism.

I submit, that these instruments are good authority to ascertain, on the disputed points, the tenets of the Catholics in general, and of the Irish Catholics in particular. Thus it follows, that there is no moral

incompatibility; but it is further objected, that there is a political incompatibility, because the popish religion, the doctrine of transubstantiation, the practice of the mass, and the deification of the Virgin Mary, are irreconcileable to any attachment to a Protestant prince, and are essentially connected with foreign power; that is to say, that they are irreconcileable to the principles of allegiance. As to the first position, I see nothing less than a miracle can establish it; and if men believe in this their own cry, I do not see why they should cavil at the eucharist. As to the second, the objects of foreign attachment have ceased; the things do not exist with which they were connected; the combinations are no more. It is not as in the time of Elizabeth, or in that of the Pretender; the Pope is a power no longer; the nations of the continent receive into their service all religions: so it is in Germany, so in France, so in Hungary—such is the case in America. It was said, on a former Catholic petition, that the nations on the continent excluded them. But the fact is otherwise; the continent has, for the most part, undergone a silent reformation; you are almost the only nation that excludes them. There has taken place that political conformity of which Mr. Paley speaks, when he says, that if Popery, for instance, and Protestantism, were permitted quietly to dwell together, Papists might not become Protestants, for the name is the last thing they would change; but they would become more enlightened and informed; they would, by little, incorporate into their creed many of the tenets of Protestantism, as well as imbibe a portion of its spirit and moderation: that is the case of the continent of Europe. Nor should it be said that this may be the case in despotic countries, where the prince may dismiss his servants, for in this country he can do the same; nor let it be said, that in a despotic country perfect toleration is admissible, but in a free country it is otherwise; nor let it be suggested, that the freedom of the country is an enemy to the claims of the Catholics, and if they should assist to make the king absolute, they may enjoy equality. Further, you will observe how little religion is a part of political combination when you recollect the case of America, how the Protestants and Catholics of America united against you; and with France, how fatally wrong you argued, and how idly men speculated, at that time upon their incompatibility. Turn to the present state of Europe, and see the Protestant and Catholic completely united; and united against whom? Against you. Sweden excepted, you have not one Protestant ally now on the face of the globe. The only part of America that did not fly off from England, is Catholic Canada; of the only European allies that now remain, one is Catholic; the rest are a formidable combina-

tion against you; an anti-English confederacy, composed of all religions, and using the talents of all the members of the different churches against you, without any incapacity imposed on their mischievous direction.

If, then, your religion does not secure to you one ally abroad, and if, on the other hand, you suffer it to exclude the full assistance of your fellow-subjects at home, you do not give your country a fair chance for her safety. It follows, that there is no political incompatibility between the two religions, but a political necessity imposed on you, to form a political junction for the common defence notwithstanding the difference. It has been allowed by those who have argued against the Catholics with an appearance of candour, that the test proposed is no more than the declaration of a political opinion; that the religious doctrines contained in it are evidences of political attachment. When that political connexion ceases, this test should cease with it; every subject has a right to equal laws; as a general proposition that cannot be denied; he may forfeit that right most certainly; but he does not forfeit that right by religious opinions, except those opinions are connected with a foreign attachment. The state has no right to make a religious test part of a civil qualification, because the state has not an arbitrary power of imposing a test; the test must relate to the function; the state has no right, therefore, to put a mathematical test or proposition to a candidate for a seat or office.

In such a case, the state would make an arbitrary and capricious use of her authority. The state, therefore, has no right to make a religious test part of a civil qualification. In the present case the qualification is professed to be political, and the abjured doctrines are held the evidences of certain political attachments, but there must be good reason to suppose the connection between the religious opinion and the attachment to warrant the continuation of the test. It is not a slight surmise that will be that warrant; otherwise the state becomes arbitrary and tyrannical. Now, in the present case, there does not exist that reason for supposing the political attachment, because the object of it has ceased to exist; the test, then, becomes merely a religious test for a civil condition, which the state cannot devise without exercising an arbitrary power. Nor is it an answer to this, that the Pope is a foreign attachment, for he is no political power; he is the mere interpreter of disputed points of Scripture: he is abjured in all temporal points; therefore, in all mixed points: he is particularly abjured on the subject of the oath of allegiance. The objections attempted to be made, namely, that marriage, the inheritance, and half the temporal power, belong to the Pope, is monstrous and frivo-

lous, inasmuch as marriage is a civil contract, governed by our laws, and the inheritance arising from it governed by the laws of the land. That it is so, is proved by the acts passed upon the subject. That they have lost that inheritance, and acquiesced in the laws, is clear by the 9 W., 2 Anne, 19 and 23 Geo. II., by which marriage and inheritance are set aside, and the next of kin is only tenant for life. The next point to be considered, is with respect to excommunication: they say that excommunication is a spiritual obligation; and further they say, that excommunication has not been urged with reference to any legal or temporal consequences, but that Catholics have enjoyed all the privileges of life, and in these cases are denied nothing but the sacrament. In some letters which I have seen, annexed to a very able production, in the shape of a pamphlet, the work of a learned gentleman of this House, to whose labours and information his country and ours are equally indebted—to the charges that the Catholics claim a right to tithes, that they deny the right of the Protestant clergy to tithes, that they claim legal existence for a Catholic establishment, and that they exercise the right of excommunication in all temporal cases, the most positive and unequivocal denial is given. They deny that they have ever resisted the right of the established church to tithes; or that they have claimed an exclusive establishment for the Catholic church: they do not deny that taxation to the Protestant clergy is founded in justice; and, for the truth of these denials, they appeal to their fellow-subjects, in the most solemn manner, and profess their readiness to swear to the facts.

As to excommunication, that, they say, is confined entirely to the bishops, and they declared they have not claimed nor exercised any of these powers imputed to them by their adversaries. In one of their principal dioceses, that of Dublin, I have the authority of Dr. Troy, the titular archbishop, to say, that in the course of nineteen years, the time in which he has filled that see, only two instances of excommunication have occurred; and that, during the time of his predecessor, Dr. Carpenter (seventeen years), only the same number took place. I appeal to the good sense and judgment of the House, then, whether the power of the Pope, in regard to excommunication, can be looked on as dangerous with regard to appointment of bishops.—The Pope merely institutes, but the bishops nominate. But, if that objection be a ground of alarm, it is a decisive reason for going into a committee, in order to come to a settlement on that part of the subject; and here I have a proposition to make, a proposition which the Catholics have authorised me to make—it is this: That in the future nomination of bishops, His Majesty may interfere and exercise his

royal privilege, and that no Catholic bishop shall be appointed without the entire approbation of His Majesty. In France the king used to name; in Canada the king names; it is by no means incompatible with the Catholic religion, that our king should name; and I do not see any great difficulty on this head. Thus the objector cannot refuse to go into the committee with consistency. They say they have no repugnance to the civil capacities of the Catholics, but they object to the nomination of their bishops by a foreign power. Here, then, they may get their wishes on both subjects; if the danger will exist under the further admission of the Catholics, it exists now; if Bonaparte has that ascendancy over the Pope, if the Pope has that ascendancy over the bishops; and they, that is, the clergy, over the people; it follows, that the Catholics in the army and navy, and the Catholic freeholders, are affected by a foreign power: so that a very great danger now exists, and a further measure is necessary. Here is that measure. So that they who oppose it, oppose their safety and prefer their danger. They choose three things—the power of the Pope; the exclusion of the Catholics; and the danger of the state. That the king shall not be substantially the head of the Catholic church, and that the Catholics shall be excluded from the constitution, they in fact object to the doing away of Popery;—they had before omitted to come to a settlement in 1799, and they are answerable for the consequences.

The general objections being removed, it remains to consider the particular.

The first is—the constitution of this country as settled at the Revolution. Here we called for a fundamental law that renders the exclusion necessary. The law enacting the oath of qualification is not one: it is the reverse. The fact was, in the Revolution, Ireland was forgotten, the state of the country made the application difficult; it remained for the next century to extend that blessing.

They must resort elsewhere. They find one in the act of settlement! I deny it. "The provision—the entail of the Crown—of such and such persons being Protestants." They infer, that this principle should be construed to extend to the king's counsellors and the legislature. I deny the inference. "The provision names the king; therefore it means the parliament and the king's counsellors." No; it is satisfied with one of the estates, and seems to judge, that having secured that advantage to the Protestant, it might trust the estate, so secured, with the full prerogative of choosing from among all the subjects. So, if great talents, industry, and virtue should appear among the Catholic body, that the country might have the advantage of their

services. The principle of the clause and of the inference are different; the one is preference, the other exclusion. Now, it does not follow because the Protestant should have, exclusively, one of the estates, that the Catholic should have no share in the rest. It is one thing to exclude the Catholics from the Crown, and another to exclude part of the Commons from the constitution.

The idea of the provision is, that the king should be of the religion of his people; but, in its perverted application, it is, that the people should be of the religion of the king, or be disqualified.

The inference we hold to be a bad one; but we still object to the idea of making this bad inference a law, a penal law, and a fundamental law. This we hold to be no law, but the violation of a fundamental principle; and we oppose to this, a fundamental principle on behalf of Catholics; namely, a right the Commons have to form a part of the legislature, and which the Catholics have of course, we say, being a part of the Commons, and being subject to no exception, on account of political delinquency, or foreign attachment. If, therefore, you look to the general principles of the constitution, you must agree with me; or if you take the spirit of the particular transaction, (for what was the spirit but the security of civil and religious liberty?) you must either extend the principles of the constitution, or abandon them altogether. You must reject a great portion of the Commons, or admit the Catholics.

On the other alternative, you must, by the Union, have extended your empire over those, a great portion of whom have no adequate interest in your constitution. You told us, the Union would consolidate the resources and the interests of both islands. I now call upon you to consolidate the strength and energies of both nations by fulfilling the contract. Unless you carry into effect that measure, then do I contend that it was an act of ambition *quoad* the Parliament of Ireland, and an act of bigotry *quoad* the people.

It is said, "We will guard the church, and guard the state." Long, I hope, may you guard the church and the state. But you cannot guard the church nor the state, nor the land you live in, without the assistance of all your fellow-subjects; and, as you are to defend the act of settlement by Catholics, the best way to secure that defence is to give them the benefit of it. Here, however, they oppose a species of political baptism imagined by themselves, and say, theirs is a Protestant constitution. They tell you, that the constitution is formed on Protestant principles; but the constitution was formed by your Catholic ancestors. Magna Charta, the laws of the Edwards, are the work of Catholics. The petition of right, and the declaration of right, events

which took place when the Catholics sat in parliament, are declaratory of that constitution.

The claim does not go to establish a Catholic cabinet, or a Catholic parliament, nor to transfer the state, but it does go to establish a certain proportion, and a very small proportion, in a very considerable part of the king's subjects, of the privileges of the constitution, and powers of state; and in so doing, they are much more constitutional, and by far more reasonable, than those who desire that the whole should be confined to a religious and victorious sect, to the exclusion of one-fifth of the people; and, in justification of which, it is added, that the persons so excluded are not good subjects, because they do not acknowledge the king to be the head of their church. Failing in that argument, which would exclude the Presbyterians equally, they say it would be a strange anomaly, a king with a Catholic counsellor. What a strange anomaly, for instance, an assembly where all were not of the same religion? What an injury to Henry the Fourth, to have had in his cabinet Sully; or Louis the Fourteenth to have had in his counsels Turenne; and yet both these great ministers were of a religion different from the established religion of the country. If, then, your enemies have the range of all the abilities of their subjects in a much greater extent of country and men, do you think it a strange anomaly, that you should not conscientiously put yourselves under the disadvantage of rejecting all counsellors, however able, except those of His Majesty's religion? It is said, that their claims go to establish a Catholic cabinet, and a Catholic Parliament, and a transfer of the power of the state: they mis-state their claim, as they mis-stated the constitution.

They say the church is in danger, inasmuch as that if the Catholics were admitted into the state they would overturn the church; and, on that surmise, it is urged, you should continue their civil disabilities. They make a general attack upon the character of the Catholics, and say, they are as bigotted as ever, and that they acknowledge the Pope, in spirituals entirely, in temporals in part; having voted that these very Catholics should be a constituent part of the Commons.

Thus are they answered by their own votes, if any answer was necessary. Here again they recur to that error, which supposes that the Catholics, that the majority of Christians are so restless and dangerous, that nothing can soften; no benefit can conciliate. Let them advance the instances. How is it in modern Europe? I object to that idea of justice, which makes your own supposition a crime in a third person, and proceeds to inflict a penalty; but I have a greater objection to the other argument, which supposes that if the Catholics got into parlia-

ment, they would use their power to stop the provisions of the Protestant clergy; for by this the money they pay our church is made the foundation of their exclusion: this is to found the church on injustice. That the Catholics should contribute to our church, I acknowledge; the church could not stand otherwise; but that they should be excluded therefore, I deny. You pay us without compensation, and the return is to impose civil incapacity, lest you should question your own contribution. They get half a million to administer to about 800,000, and are paid this by the Catholics, and then exclude them. They see their God, not in his great work, the world, nor in his work the Bible; they see him as a special interference, coming only to themselves; they see him a narrow and a partial Deity! It seems omnipotence would have fallen apart; his work would fail, according to them, if they did not support his religion at the expense of their morals, and bolster up Almighty power, by accommodating the Deity with our ingratitude and injustice!

In their plan for the church, they forget the attribute of their Maker, and in their plan for the state, they forget a fifth of the people; and, on these two omissions, they propose to establish the security of church and state. They do not see that both are to be supported, partly by their own excellence, and also by the interests, and the passions of man, (not by human depravity). What so strong an interest in the church, as that it is compatible with civil liberty? On those rocks you may build your church and your state; and on those immortal foundations they will brave every storm, and outlast the length of ages.

There are only two imaginable ways by which the church can be destroyed, by law and by force; by law, the Catholics cannot, unless they become the majority; by force, they will not be more enabled by the admission, and will at the same time be freed from every motive of interest. But they argue otherwise, that they are now well disposed; but if they get additional motives, then, provoked by additional benefit, stung by the removal of disabilities, they will then revolt, on this *solid* observation, they found eternal incapacity, then they pronounce *esto perpetua*. This is not argument, but folly.

The next objection is that which arises from the peculiar situation of Ireland, and this is founded on the supposed disposition of the people, and the state of her property; they tell you the Irish hate the English and the Protestants; they said before, that if the Catholics be true to their religion, they cannot be attached to a Protestant king; they tell us that they abhor you by nativity, and should rebel on principle. The Pope is a better interpreter; the Catholic faculties, I am

sure, are. They say this is a time of war; invasion perhaps hanging over the island. They say this, and in saying this, they tend to promote the curse which they lament, and to make the two nations mutually hate each other; they scold both of them into hostility, and one out of allegiance; they are refuted in this by analysing the objection which cannot be founded in the soil, for otherwise the Irish Protestant would hate you; nor in the Catholic religion, for otherwise the English Catholic would hate you. It cannot arise from either, but, according to them, it does from both; thus does the mind (the heated brain rather), generate monstrous imaginations. In religious matters, it seems, this is the privilege of the casuist; here the mind is set adrift from this world, and assuming a familiarity with the other, brings back conclusions pernicious to both, and belonging to neither. But from this argument a conclusion may be drawn; not that the people of Ireland hate those of England, but that the penal code has created an animosity, not entirely subsided. The code being the cause, the removal of that code is the removal of the cause. Do not think you reconcile it to your conscience, if you say, they are a perverse generation, their Maker is in fault, the government is excellent. No, not a fallible creator, but a very fallible system of legislature and administration! See whether that code was an adequate cause: it was detailed by the late Lord Avonmore. I heard him. His speech was the whole of the subject, and a concatenated, and an inspired argument not to be resisted. It was the march of an elephant; it was the wave of the Atlantic; a column of water 3000 miles deep. He began with the Catholic at his birth—he followed him to his grave: he showed that in every period he was harassed by the law: the law stood at his cradle—it stood at his bridal bed—and it stood at his coffin. The justice of his fellow-subjects repealed the greater part of that code: it remains for your justice to repeal the remainder; and do not let us look for vain and irremoveable causes, when the cause is obvious and correctable.

The other argument peculiar to Ireland, is the state of property; that is founded on a fable, namely, that there is a map retained with the property of the old Catholic owners delineated; and further, that there is a conditional limitation of the same in marriage settlements; this map, which is to be found in the auditor's office, was drawn up by Sir William Petty, for the use of the then government; a copy of which had been taken and brought to France; a copy of that copy had been obtained by a person in the service of government, and is retained as matter of history: but the nature of that map was well explained in this House, on the last debate on this question; and the

limitation in the marriage settlements was not proved, nor the name of any lawyer who drew such produced; but, on the contrary, lawyers most employed in conveyancing had been asked positively, and no such limitation had been framed regarding the map. Further, the state of property in Ireland, is a complete answer to the apprehension; the Catholic purchasers are numerous; the ancient proprietors few. It has been said, that the Catholics have not in landed property, above £50,000 a-year; I will state that the rental of one noble earl alone is £30,000 a-year; their proportion is from £500,000 to a million, in fee simple; add to this, that the tenantry of Ireland are Catholics in a great proportion, and hold under the title of Protestant landlords, so that the majority are interested in the defence of the present state of property. Again it is asked, how should they overset the present property of Ireland if admitted? By force? No. The law which admits them into the constitution, does not increase their physical force. The proprietors of Ireland are not, however, at their ease on the subject of property; but their apprehension arises from the continuation of civil disabilities, not the removal; they fear the invasion of their country, and they fear the divisions of the people; they fear the protection these laws afford; they deprecate the terrible protection in the defence you offer them in civil incapacities, and political monopoly.

The counties of Clare and Galway have had meetings convened by their sheriffs, at which they passed resolutions, expressing their ardent wishes for an admission of their Catholic brethren to the benefits of the constitution. In the counties of Tipperary, Kilkenny, Roscommon, Waterford, and Meath, and in the town of Newry, resolutions have been passed, not formally by the Protestant gentry and inhabitants, but by the great bulk of the landed proprietors. These recommendations were not owing to the influence of liberality and confidence merely; not to the absence of all suspicion of an intention to invade the landed property at a more convenient season; but to the stronger and more immediate feeling of the danger which a divided country would have to experience, in case of invasion, from an active and powerful enemy. They are the persons who are to share and lose their monoply; and, to diminish their returns to parliament and appointment to offices, they desire it. This is the way to repeal the act on its own principle, and to make it, not a triumph over a party, but a victory over prejudice. They propose to give up their monopoly, and in so doing, they are advancing your cause: they propose the best method to secure their country, and to strengthen it; they have canvassed for the British empire; it remains for you to decide what

answer will you give them. But it is said, that the privileges desired are of little moment, namely, a share in the state and the legislature; and they are told this, by those who make great sacrifices of industry and property to come into both. Let me ask them, is an exclusion from the two houses of parliament nothing? from the shrievalty nothing? from the privy council nothing? from the offices of state nothing? from the bank nothing? Is it nothing to be censured, schooled, and suspected? When they hold this language, they depreciate the value of their own constitution; they depreciate it in their own estimation, and are less freemen by urging the doctrine of inferiority and degradation; thus men are punished by keeping part of their fellow-subjects out of the privileges of the constitution. So it was when you preached the doctrine of surrender to America; it lowered the public spirit, and deprived men of the high language, by which they should animate their country. But look a little farther: What meant the petition of 1805? what the present petition? These petitions, very numerously signed, say otherwise; this testimony says otherwise, and shows how the Catholic feels the exclusion. Rely on it, you deceive yourself, if you think that any people will be satisfied with inferiority. But supposing this argument to have force, what is that force? that you have in one-fifth of your population destroyed the spirit of liberty; that your government conquered the spirit of your constitution.

They add to this, some of them, that the people are too ignorant to exercise—what? The upper orders of the Irish too ignorant to fulfil the duties of members of parliament, or of principal servants of the state. But what is the force of this argument?—that you have left them ignorant, and made them contemptible.

It has been urged, that the oath of the king is incompatible with the removal of the disabilities complained of. Let us examine how far it is so. It is a fit subject of parliamentary inquiry, to ascertain whether or not the representation is just. We must not allow the enemies of the Catholics to abuse, in the first place, the religion of God; and, in the next place, the piety of His Majesty, without contradiction or restraint. The kings of England swore to maintain the liberties of their people. They are, therefore, subordinate to the law; they cannot invade the liberties or religion of any man, without committing a breach of their oath. They are not sworn to maintain the penal laws, nor to restrict the legislature from making new provisions in favour of the church. If the king, according to the provisions made respecting the church, is sworn to maintain them entire and without change; why, then, the church is placed beyond the power of human in-

terference, and is also beyond the executive and legislative power. The penal laws are included in those provisions; and what is the nature of them? One of them goes to rob a Catholic of his horse; another prevents him from educating his sons at home, and from sending them abroad for education; another goes to deprive a Catholic father of his property. If the repeal of laws of this kind are a breach of the coronation oath, why, then, every sovereign, since the time of Henry the Eighth, is perjured. William the Third, when he signed the articles of Limerick, was perjured; and Queen Anne, when she passed the act of Union, was perjured. George the First, and George the Second, were perjured. Our present gracious sovereign, when he passed the Quebec act, was persuaded to depart from his coronation oath: so, in 1782, when the act of Catholic inheritance was passed; again, in 1793, when the Catholics were allowed the exercise of their elective franchises. In short, the coronation oath, from which so many departures have occurred, is nothing more than the oath of succession. This oath cannot be interpreted in a manner laid down by the enemies of the Catholics without making the rights of the church the wrongs of the people, by incapacitating one-fifth of His Majesty's subjects from contributing their best services for the benefit of the state. The church is, in consequence, made a confederacy against the state, and the king a party to it. There may be cases, in which the coronation oath might interfere with the penal statutes; but then it would be to repeal them. The king is sworn to protect the Protestant religion, as by law established. But I will suppose a case, in which it may be necessary to enlist Catholics for the army, in order to the better defence of the empire: will it be said, that the royal oath is to stand in the way at the time when the concurrence of His Majesty, in requiring the assistance of all his subjects, to support the Protestant establishment against all enemies, is so imperiously necessary? I should hardly think such a position would be advanced.

I have now shown that there is, in the two religions, no moral incompatibility; that there is no political incompatibility; that, in the Revolution, and in the act of settlement, there is no objection, but every reason in favour of the Catholics; for the civil capacities, whether you look to the original constitution, or to the constitution as declared and improved by the Revolution, or to the duration of the constitution, and its danger from foreign and domestic enemies. The resolutions show you the sentiments of a great portion of the Protestants. There is no reason against, but the most imperious and solid conclusions in favour of the petition; the arguments against it would depreciate the value of the constitution, and of course go

against the spirit by which it is to be defended; the other arguments, which would defend the pay of the church by excluding the Catholics, go against the principles of justice and retribution, and are not the support of your church, but would be a blemish and a reflection on it; and the cast and complexion of the objections is of a nature not only weak, but criminal and mischievous.

Mr. Fox brought on this question in 1805. I have followed that light on this subject: he was a great advocate, as he was also a great authority. In 1778, I remember his opinion privately given: it was decidedly against the penal code. In that opinion he continued to the close of his life; he recommended a total repeal of these laws, and when the Roman Catholic petition was presented by him to the legislature, he gave his last testimony against their cruelty, their impolicy, and their ingratitude. Ireland will ever retain a grateful sense of all the benefits she had received from that great man. She now feels the loss she has sustained, and weeps in sorrow over his tomb. In estimating his qualities, we dwell with delight on his integrity, his rectitude of mind, his commanding and convincing eloquence, his amiable disposition, his benevolent weakness, and the negligent grandeur of his capacity; and yet he had not the melancholy addition to the case, that Russia has become your enemy, that Prussia is beaten down, and that Austria has left you, and that our divisions must be lost in our danger. Against this danger see the security offered by some who are hostile to the claim of the Catholics; an eternal exclusion from the state, an exclusion from the legislature of a fifth of the community that compose a part of the Commons, and a part of your army. This is their plan of safety! Is anything more frantic, more extravagant, more foolish than this? Yes; their idea of the danger! A few Catholics in parliament, and a few Catholics in the higher departments of the state; these are to become the majority of the Irish representatives, and so on; the ascendant part of the English and Scotch representation; and, finally, that power which is to overturn the whole. These are the fears, and these the arguments of some wise men—of some good men—of some liberal men; but wise, and good, and liberal men, educated in early prejudices: thus it happens, that on a religious subject, men shall not only have a degree of interest, but even shall assume a privilege to commit depredations, not seldom upon reason, and sometimes upon morals. To meet this danger, to give your country a better defence, I should suggest the more obvious means, that of national concord, as soon as possible.

I would first recommend it to the legislature: if the legislature did not establish it in the laws, I recommend, that the good sense of both

countries should supply their defect; above all, I should appeal to the gentlemen of Ireland to associate with the Catholics as much as possible. If they do not, if they form a distinct society, they will be a distinct people, and will reap the wages of pride and infirmity.

When a country divides, and hates one portion of itself more than it hates the enemy, that country opens a passage to a foreign power, and betrays the infallible symptom of a falling nation, and its fate is then a judgment on its malignity and its folly.

The landed interest will have the power of communicating through their tenantry the spirit of tolerance, and with it the spirit of concord, and the spirit of defence; for they must go together. Their example will do much: their presence will do more. They will recollect that the Catholic feels the personal, at least as much as the political superiority; the latter is at his door. He does not see the exclusion from parliament, but he does see and feel the assumed superiority of his neighbours (which arises not a little from that exclusion), the saucy little tyrant that wounds him by a galling dominion, his toasts and monopolising merriment hurting him in those very points in which he is most sensible and irritable.

I have applied to one description; and here let me apply to that body of the community distinguished by the appellation of Orangemen. Many of them are heated by controversy; but many of them are misunderstood. And many will soften and see the folly of the dispute, if the point was made rather a subject of discussion than a point of spirit.

They will perceive the certainty, that though there may be an exclusive religion, there should be no affectation of an exclusive allegiance. In vain their loyalty, if they procure to the throne a host of enemies. No insinuation, as thus: If you believe your own religion, you cannot be good subjects; or you cannot be trusted; or we will not corps with you; no pointed paragraphs, no logical victories! They will see the danger with which we are environed, and the punishment; and despise the little puerile jealousy entertained against their fellow-subjects, which can only end in the victory of the French, and the subjugation of the constitution. They should consider, that Ireland should not be a party question; that nations do not always act from their interest, but more generally from their feelings; and that any measures that sharpen these are high crimes. They should consider themselves as trustees for its preservation; and not sectarists to quicken and disgrace the downfal of their country. And, finally, I should appeal to the government, who may do some great good or great mischief. They may act decisively on the magistracy, so as to

preclude partiality in the administration of justice; in the appointment of justices of the peace; in the regulation of the yeomanry; and in the disposal of favours and distinctions in the state. They may, and ought, and it is indispensable that they should establish this principle in the administration of that country, that the Catholics should never feel the victory of a party; this should be a fundamental maxim of the Irish government.

Let there be no bigotry on one side, and there will be no French feeling on the other. It is a necessary consequence, and the natural reaction of your own sentiment. Philanthropy generates on philanthropy, and confidence propagates on confidence.

And do not believe those idle tales, for instance, that the Catholics in some part of Ireland will not suffer a Protestant to live among them; or that Catholic servants will not suffer a Protestant in the same family; or that, in Dublin, the poorer sort cannot get themselves apprenticed as servants.

To this I beg to advance an absolute denial. And I offer, if a committee should be appointed, to disprove it most fully and satisfactorily. The Catholics desire, that they may not be concluded against, by a suggestion which would not be listened to, and they appeal to the conscious persuasion of their fellow-countrymen; they appeal to Maida, and they appeal to Egypt, that witnessed their battles, which could never have been fought if such tales had been true. I do not agree with those, who think the lower classes of the Irish savage or lazy. I see them labouring their mountains, cultivating their hills, and toiling in every part of Ireland. I do not agree with those who think the landlords are oppressive; if that were so, the middle men could not exist; the middle man is a proof, that the head landlord does not get the highest price for his land. These suggestions arise from the ignorance of the Irish, and tend to make the upper orders despise the lower, and to mislead and deceive both. But, in order to judge of the country, look at her work; they have in twenty-five years added a third to their trade, worked out by the sweat of their brow; produced by the labour, virtue, and energy of the people; they increased five-fold their revenue, and have added a third to their population; they procured a free trade, and a free constitution.

These are the savage perfections of the people of Ireland. The Catholics had their share in procuring these blessings of freedom, and, to a certain degree, a share in the enjoyment of their benefits. I will not vulgarise their petition by the cant of exaggeration. The Catholic has the benefit of trial by jury; he has admissibility to all offices, civil and military, that are not offices of state, and sheriffs; he is a

constituent part of the Commons, and he can go to a county meeting, discuss public matters, instruct, arraign, and rebuke his representatives. What these are I cannot estimate; but I say they are defending you against a foreign enemy. The Catholic would not surrender these to the king of England; he will not surrender them to the powers of France. Further, in these things, and particularly in the elective franchise, is the seminal principle of the remainder: that remainder, the object of his petition will come—it will come in the natural progress of moral causes. I mentioned the progress for the last twenty-five years; above a third to your trade, and near a third to your population: so that Ireland now stands by you a country with 5,000,000 of people, exporting near 9,000,000 of produce, taking from you near 7,000,000, supplying you with £700,000 worth of corn, and furnishing your navy and army with a great proportion of their strength. Why do I mention this? that Ireland may see what a country she has to defend, and that you may see what a country you have to adopt; and that both may see they have nothing but one another; and that you may perceive the folly as well as wickedness of attempting to govern such a country by division, or corruption, or bigotry, or any system but that of equality. The more to illustrate the necessity of this, turn to the Continent, and you see all her ports and harbours hostile. Let me suppose there should hereafter issue from them different navies to invade these islands, would you then send dispatches to Ireland to guard the corporation against the Catholic, to preserve the parliament? or would you not desire to embody, and incorporate, and inspire? But then it might be too late. Now, therefore, when you are mistress of the measure, and have time to secure its effect, now will you not do away in act or in spirit these distinctions? Will you not repeal those death-doing divisions? Coalesce in the spirit of repeal and confidence, so that you may in fact, or by anticipation, prepare—for what? for the final battle, which, sooner or later, must be fought, and which must determine the rivalship of 500 years.

How would you answer to your ancestors, that you had lost the hereditary laurel of your country, because you were afraid of the Pope, or of the influence of the eucharist, of the Council of Lateran, or the Council of Constance?

The Catholics do not approach this House with servile humility; they come to support your empire; they come, as freemen, to share your privileges; and now, when Austria has turned against you, when Russia is no longer your friend, when Prussia has ceased to exist as a power, they come to partake in your danger, and to partake in your constitution.

This is their prayer. On these grounds I move their petition; I move to refer it to a committee of the whole House; I move it on the ground of national justice, and I accompany it with two wishes; first, that you may long preserve your liberties; next, that you may never survive them.

31*st May*, 1811.

Sir—In wishing that these votes of thanks should be read on this occasion, it was my object that the House should be in accurate possession of its own testimony to the conduct of that race of men, the justice of whose claims to equal rights and capacities we are proceeding to discuss. We are now going to consider, whether it be just or expedient that the existing system of penal laws to which they are subject, should any longer continue. I call them penal; for what else is the qualifying law? A law, inflicting penalties in the most objectionable form, that is, under the disguise of an oath; a law, which makes the forfeiture of conscience a recommendation to title and office; a law, that enacts religion to be a crime, and perjury a qualification. This is an occasion in which we are assembled to try the bulk of the population of Ireland. We have to try them upon separate charges—upon charges against the religion they profess, and the political principles upon which they have acted. The testimony against them, I am sorry to say, is that of their countrymen, and also of their fellow-subjects. Now, although I will not affirm that it is impossible for the authors of those charges to enjoy a safe conscience; although I will not suspect or deny their morality, yet their testimony, thus directed against their fellow-subjects, is to my mind a strong presumption of their prejudice against those whom they accuse. Let their evidence be ever so good or respectable, their zeal and alacrity to tender it, are to me demonstrations of those prejudices. For what, in fact, does this evidence amount to? It begins by testifying that an immense body of Christians, subjects of this empire, are worse than any class or nature of idolaters; that they are not trustworthy in civil life. But if this charge be true, then it can be no less true that the Messiah has failed, that the Christian religion is not of divine origin, since its effect and operation has been to deprave and immoralize mankind. The charge is compounded of the dogmas of the church, and the politics of the court; the spirit of the former being uniformly the spirit of bigotry, that of the latter as uniformly power. Against this evidence, we have long had the indisputable declarations, and the explicit testimony of the six most eminent universities of Europe, disclaiming

any doctrine incompatible with the strongest attachment to the civil government of every country. In addition to this, there is our experience of the fact, as proved and established in the long intercourse that has subsisted between Protestant and Catholic, and the long obedience and submission shown by the Catholic to your government. But let us look at the charges in another point of view, and examine upon what ground it rests. It represents that you, having had possession of Ireland for six hundred years, have so abused the exercise of your authority, have so oppressed and misgoverned the people of that country, that they are unalterably hostile to your interests, and inflexibly rebellious to your control. It represents that you stand self-convicted of a perversion of your power, and practically disqualifies you to be governors, under whose sovereignty Ireland has passed so many centuries of her existence. But, sir, I believe no such thing; I believe the assumption to be groundless; that it is unjust thus to accuse England; but such is the nature of the accusation against the Catholics; it points less against them than against England and against British connexion. Depend upon it, that the original source of a people's vices is the vice of its government; and that, in every instance since the creation of the world, the people have been what their rulers made them. A good government makes a good people. Moralize your laws, and you cannot fail to moralize your subjects.

Now, in order to disprove the justice of the charges brought against the general character of the Irish Catholics, I will first refer the House to the preamble of the statute of 1782. I will next beg their attention to the facts recorded in its late votes of thanks; and, lastly, to the circumstances and history of the connexion between both countries. If the allegation, that the religion of the Catholics is essentially adverse to the British government be true, let us remember that the necessary inference is, that the British government must be a public calamity, and no longer deserving of support. But give me leave in contradiction to that allegation, to advert to the facts on which it is founded, in order that I may the more clearly show, in the first place, that the existing penal laws are wrong, unjust, and indefensible; secondly, that their repeal is the only means of establishing the tranquillity and the security of Ireland. In the year 1792, about a hundred dissenters in the north of Ireland rebelled; this was immediately designated a Catholic revolt. These men, unprotected by your government, and denounced by your laws, were then declared to be in a state of general insurrection. This was your candour, this was your truth. But let me remind you, that tyranny is its own reward, and

that imperfect privilege is the cause and measure of imperfect allegiance. In order to put down the insurgent, put down that penal code by which he is harassed and inflamed.

Another case to which I beg to refer is that of the civil war or rebellion, or whatever other name you please to give it, in the time of William the Third. On that occasion the Catholics opposed William in defence of their liberties, civil and religious. Liberties, for violating which, the English people had most properly expelled James the Second from the throne. But if James had offered to the English what he offered to the Irish people, would you have called in William and expelled him? If he had proved the conqueror, and proposed to you the same conditions which William imposed upon the Irish nation, would you have accepted them at his hands, and persevered in your submission, without any effort to procure a relaxation of them? If they submitted with reluctance, would you, in a similar situation, have submitted with any other feeling? Whenever sects wage their war of persecution against each other, they will proceed to the last extremes of hostility; this is no ordinary or generous warfare, and confiscation is not omitted among their weapons of annoyance. An act of attainder was passed against three thousand persons on account of their religion, and it was remarkable that those individuals were all men of property. This was forfeited accordingly to the crown, and parcelled out to its favourites. In the reign of Charles the First forfeiture was a standing branch of the revenue; the claims of the crown respected no charters; it held sacred no private rights; it was not restrained by common shame from despoiling the people of Ireland of their property and estates. On that occasion the government wished the people to embark their properties on the same security with the establishments; the people gave in their title deeds, but the Master of the Rolls, an officer of the government, omitted to register them, and the government was flagrant and wicked enough to take advantage of the omission, and seize upon the property. Even an impudent subject had the audacity to take upon himself the perfidy of the crown, and to declare to the people, that the charters of Ireland were not valid, and that the King of England was not bound by any law. It was this perfidious act that laid the foundation for the blood and massacre which ensued, and which were only the legitimate offspring of the unprincipled baseness and perfidy of a tyrannical, wicked, and illegal government. It would be easy, I think, to show that these atrocious proceedings were the natural result of an atrocious system of misgovernment. Let me caution you not to embrace such a system, if you desire that common security should be the common object of society. If you do,

depend on it, not Catholics alone, nor Irishmen, but Protestants, and all persuasions, will revolt against laws by which they are painfully distinguished from their fellow-men. Be assured, that no dependance is to be placed upon any man, either Catholic or Protestant, unless governed upon the same principles as the people of this country.

From this, I infer the necessity of repealing the laws for disqualifying the greatest portion of the people in Ireland, and for keeping alive such odious and painful distinctions in that country.

Suffer me now, Sir, to enter into a consideration of what has been the established principle of the British government in Ireland. This principle is that of disqualification; a principle which, whatever we may affect to think of it, in its existence implies a right to govern by conquest. If the Irish were now in a state of half-allegiance, this species of government might be proper and necessary; if not, the policy is erroneous and unjust. Let us reflect on the necessary limits to all human legislation. No legislature has a right to make partial laws; it has no right to make arbitrary laws—I mean laws contrary to reason, because that is beyond the power of the Deity. Neither has it a right to institute any inquisition into men's thoughts, nor to punish any man merely for his religion. It can have no power to make a religion for men, since that would be to dethrone the Almighty. I presume it will not be arrogated on the part of the British legislature, that His Majesty, by and with the advice of the Lords spiritual and temporal, &c., can enact, that he will appoint and constitute a new religion for the people of this empire; or, that by an order in council, the consciences and creeds of his subjects might be suspended. Nor will it be contended, I apprehend, that any authoritative or legislative measure could alter the law of the hypotheneuse. Whatever belongs to the authority of God, or to the laws of nature, is necessarily beyond the province and sphere of human institution and government. The Roman Catholic, when you disqualify him on the ground of his religion, may, with great justice, tell you that you are not his God, that he cannot mould or fashion his faith by your decrees. You may inflict penalties, and he may suffer them in silence; but if parliament assume the prerogative of heaven, and enact laws to impose upon the people a different religion, the people will not obey such laws. If you pass an act to impose a tax, or regulate a duty, the people can go to the roll to learn what are the provisions of the law. But whenever you take upon yourselves to legislate for God, though there may be truth in your enactments, you have no authority to enforce them. In such a case, the people will not go to the roll of parliament, but to the Bible, the testament of God's will, to ascertain his law, and their duty.

When once man goes out of his sphere, and says he will legislate for God, he, in fact, makes himself God. But this I do not charge upon the parliament, because in none of the penal acts has the parliament imposed a religious creed. It is not to be traced in the qualification oath, nor in the declaration required. The qualifying oath, as to the great number of offices, and to seats in parliaments, scrupulously evades religious distinctions; a Dissenter of any class may take it, a Deist, an Atheist may likewise take it. The Catholics are alone excepted, and for what reason? Certainly not because the internal character of the Catholic religion is inherently vicious; not because it necessarily incapacitates those who profess it to make laws for their fellow-citizens. If a Deist be fit to sit in parliament, it can hardly be urged that a Christian is unfit. If an Atheist be competent to legislate for his country, surely this privilege cannot be denied to the believer in the divinity of our Saviour. But let me ask you if you have forgotten what was the faith of your ancestors, or if you are prepared to assert, that the men who procured your liberties are unfit to make your laws? Or do you forget the tempests by which the dissenting classes of the community were at a former period agitated, or in what manner you fixed the rule of peace over that wild scene of anarchy and commotion? If we attend to the present condition and habits of these classes, do we not find their controversies subsisting in full vigour? and can it be said, that their jarring sentiments and clashing interests are productive of any disorder in the state; or that the Methodist himself, in all his noisy familiarity with his Maker, is a dangerous or disloyal subject? Upon what principle can it be argued, that the application of a similar policy would not conciliate the Catholics, and promote the general interests of the empire? I can trace the continuance of their incapacities to nothing else than a political combination; a combination that condemned the Catholic religion, not as a heresy, but as a symptom of a civil alienation. By this doctrine, the religion is not so much an evil in itself, as a perpetual token of political disaffection. In the spirit of this liberal interpretation, you once decreed to take away their arms; and on another occasion, ordered all Papists to be removed from London. In the whole subsequent course of administration, the religion has continued to be esteemed the infallible symptom of a propensity to rebel. Known or suspected Papists were once the objects of the severest jealousy, and the bitterest enactments. Some of these statutes have been repealed, and the jealousy has since somewhat abated; but the same suspicions, although in a less degree, pervade your councils. Your imaginations are still infected with apprehensions of the proneness of the Catholics to make cause with a foreign foe. A

treaty has lately been made with the King of the Two Sicilies. May I ask, is his religion the evidence of the warmth of his attachment to your alliance? Does it enter into your calculation as one of the motives that must incline him to our friendship, in preference to the friendship of the state professing his own faith? A similar treaty has been recently entered into with the Prince Regent of Portugal, professing the Roman Catholic religion; and one million granted last year, and two millions this session, for the defence of Portugal. Nay, even in the treaty with the Prince Regent of Portugal, there is an article, which stipulates, that we shall not make peace with France, unless Portugal shall be restored to the house of Braganza. And has the Prince of Brazil's religion been considered evidence of his connexion with the enemy? You have not one ally who is not Catholic; and will you continue to disqualify Irish Catholics, who fight with you and your allies, because their religion is evidence of disaffection?

But if the Catholic religion be this evidence of repugnance, is Protestantism the proof of affection to the crown and government of England? For an answer, let us look at America. In vain did you send your armies there; in vain did you appeal to the ties of common origin, and common religion. America joined with France, and adopted a connexion with a Catholic government. Turn to Prussia, and behold whether her religion has had any effect on her political character. Did the faith of Denmark prevent the attack on Copenhagen? It is admitted on all sides, that the Catholics have demonstrated their allegiance, in as strong a manner as the willing expenditure of blood and treasure can evince. And, remember, that the French go not near so far in their defence of Catholicism, as you in your hatred of it in your own subjects, and your reverence for it in your allies. They have not scrupled to pull down the ancient fabrics of superstition in the countries subjected to their arms. Upon a review of these facts, I am justified in assuming that there is nothing inherent in Catholicism, which either proves disaffection, or disqualifies for public trusts. The immediate inference is, that they have as much right as any dissentient sect, to the enjoyment of civil privileges, and a participation of equal rights. That they are as fit morally and politically to hold offices in the state or seats in parliament. Those who dispute the conclusion, will find it their duty to controvert the reasoning on which it is founded. I do not believe the church is in any danger; but if it is, I am sure that we are in a wrong way to secure it. If our laws will battle against Providence, there can be no doubt of the issue of the conflict between the ordinances of God, and the decrees of man; transient must be the struggle, rapid the event. Let us sup-

pose an extreme case, but applicable to the present point. Suppose the Thames were to inundate its banks, and suddenly swelling, enter this House during our deliberations, (an event which I greatly deprecate from my private friendship with many members who might happen to be present, and my sense of the great exertions which many of them have made for the public interest,) and a motion of adjournment being made should be opposed, and an address to Providence moved, that it would be graciously pleased to turn back the overflow, and direct the waters into another channel. This, it will be said, would be absurd; but consider whether you are acting upon a principle of greater intrinsic wisdom, when, after provoking the resentments, you arm and martialize the ambition of men, under the vain assurance, that Providence will work a miracle in the constitution of human nature, and dispose it to pay injustice with affection, oppression with cordial support. This is, in fact, the true character of your expectations; nothing less than that the Author of the Universe should subvert his laws, to ratify your statutes, and disturb the settled course of nature; to confirm the weak, the base expedients of man. What says the decalogue? Honour thy father. What says the penal law? Take away his estate! Again, says the decalogue, do not steal. The law, on the contrary, proclaims, you may rob a Catholic! The great error of our policy is, that it presupposes, that the original rights of our nature may be violated with impunity, in imagining that a transgression of natural law can be punished only hereafter. But there is an immediate, as well as a future retribution, and a remedy provided by natural causes for this obstruction of natural justice. The early effect of the promulgation of the penal code in Ireland, was to confound tyrant and slave, Protestant and Catholic, in one common mass of misery and insignificance.

A new law against English Catholics, was made in the reign of George II., and mark the result! when a militia force of 6,000 was wanted, it could not be raised. The Duke of Cumberland, son of George II., would not allow a man to be recruited in Ireland, except perhaps a weaver from the north. And what was the consequence? We met our own laws at Fontenoy. The victorious troops of England were stopped in their career of triumph by that Irish brigade which the folly of the penal laws had shut out from the ranks of the British army.

A little attention will show us, that, in the same proportion as we have conceded to the Catholic, have we grown strong and powerful by our indulgence; and that we have been the blind instruments of our own misfortunes, and of inflicting judgment on ourselves, by refusing jus-

tice to our fellow-subjects. If it be contended that to support the church it is expedient to continue these disabilities, I dissent from that opinion. If it could indeed be proved, I should say that you had acted in defiance of all the principles of human justice and freedom, in having taken away their church from the Irish, in order to establish your own; and in afterwards attempting to secure that establishment, by disqualifying the people, and compelling them at the same time to pay for its support. This is to fly directly in the face of the plainest canons of the Almighty. For the benefit of eleven hundred, to disqualify four or five millions, is the insolent effort of bigotry, not the benignant precept of Christianity, and all this not for the preservation of their property, for that was secured; but for bigotry, for intolerance, for avarice, for a vile, abominable, illegitimate, and atrocious usurpation. The laws of God cry out against it; the spirit of Christianity cries out against it; the laws of England, and the spirit and principles of its constitution cry out against such a system.

An honourable member once expressed his apprehension, that the Catholic, if admitted to a seat in parliament, would exert himself to promote the interests of his own religion, and to dispossess the Church of England. I must remind the House, however, that it is contrary to every principle of legislation to inflict penalties on supposed offenders, or to punish imaginary crimes, and to deal out chastisement in advance. I ask them to remember, that by the oaths of the Catholics, oaths which we are bound to believe, we have their solemn engagement to defend and preserve the constitution as by law established. If you acknowledge that the church can only be supported on the ruins of Irish liberty, then I say that the church ought not, and cannot, be so supported. The church was established, that men might resort to it for consolation and hope; it was not made for the king, or for the court, or for men of fashion exclusively. For the people, it was instituted; and by its beneficial effects on the people, must its excellence be appreciated. It was with this persuasion, that the kirk was established in Scotland; but widely different was the policy with respect to Ireland. Upon no other principle, however, can the church be really recognized as the house of God. It is no longer than it adheres to that principle, that it has any foundation in Christianity; when it deserts it, it becomes the asylum of pride, of avarice, of bigotry; an establishment nourished by the worst vices of our nature; and fulfilling its baneful purposes, unlike the church of a Christian God, by dividing, oppressing, and apostatizing mankind. In a political sense, the Irish hold everything by the same tenure as their fellow-subject in England; the landlord and tenant claim equally by virtue of the act

of settlement. If the government of England chose to say, that the Church of Ireland is not to be secured by law; by the allegiance of the people; by the coincidence between the people and their liberties, but by the title of right and claim of conquest; if they so chose to blaspheme their title, they must then come to this; they must pause to consider between the laws of God and the policy of man; they must put their own wisdom into one scale, and in the other, to be weighed against it, place the Almighty!

Let us avoid any situation, approaching to such a state of things. Upon these various considerations, I submit it to the good sense and justice of the House, that such remaining penalties and incapacities, as attach upon the Catholics, should be removed, that we may unite them with ourselves in a common feeling, in a common cause. I freely admit, that if there should recur a period when a French Pope might occupy the pontifical chair, it would be necessary to guard against the exercise of his influence in the nomination of bishops. This, however, is an additional reason, I conceive, to induce the House to go into a committee, in which this particular branch of the question may be fairly discussed. I shall ever be as earnest as any man in my wishes and exertions, to prevent the chaos and horrors of foreign invasion, or foreign domination.

It has been asserted, that what the Catholics claim is of little value. This is a poor argument against acceding to it. If one person robbed another, would it be any defence of his honesty to urge that, what he had stolen, was of little value to the owner? I know there are some, who are for entering into certain stipulations with the Catholics; this is foolish. You can never gain anything with a people by conditions: it is the silliest thing on earth to think of conciliating by merchandizing their claims. Many there are, some I know, who imagine, that the Irish Catholic is indifferent as to the fate of these demands. However, that is not the question; you have no right to ask them whether they desire, but ask yourselves whether it is just to grant. If you really think them so careless on the subject, all you have established by the argument is this, "We, by our bad government, have so debilitated you, so broken your hearts, and debased your spirits, that even liberty has become of no account amongst you, and you have no understanding to prize its blessings." Will this be a matter of boast to England? But liberty is not to be made the creature of circumstance or condition. England ought to know this. What made her, what inspired, what raised her to such eminence in the world as that on which she now stands, but this inherent spirit of liberty; this spirit, which she was never so reduced as not to think worth contesting for.

Did Mr. Hampden think so? was he so senseless? did he not think, that a naked freeman was a nobler object than a superb slave?

It has been said, that the Catholics of Ireland are too poor and too senseless, to wish for any removal of their disqualifications. By the return made to government, it appears that the expenditure of that country, which was but lately not more than one million, has been seven, eight, and ten millions. To say, that a country which expends ten millions is too poor for liberty, is false and preposterous. Before the Union, the expenditure of Ireland was, £1,600,000; and her debt three millions: she had then a free trade, and a free constitution. Since that, she has gone on increasing in debt, and expenditure; she has contributed to England, exclusive of her cattle, her provisions, her men, above sixty-five millions of money; she is the hundred-handed giant, and holding out to you in every hand a benefit. Therefore, when you say to her, that she is too poor for liberty, you talk in language unknown to England; you do not speak the dialect of the people. Depend upon it, when you address Ireland in this Jacobite phrase, you will not argue her out of her wish for liberty; but you will argue England out of her respect for her freedom. When you once sully your lips with this meanness, this baseness, and this servitude, you will not convey the poison to her, but you will cast a taint upon your own land, and your own constitution. You need not gloss over your injustice by the idea, that what you refuse is trifling. The Catholics have wisely refrained from stating their grievances in this petition. But what they are excluded from, is not a bauble. Do you know what the privileges are, which you refuse to the Irish Roman Catholics? Do you think they merely relate to some insignificant baubles, or that they are merely confined to the obtaining seats in parliament? They are excluded from seats in this House; from offices in the bank; from the situation of sheriff; from the best places at the bar; from the highest stations in the army; from any participation in the state. They are deprived of their civil liberties; they are galled by tithes; and what remedy do you offer them? Nothing!

While these grievances remain to be removed, let it not be said, that the Irish are indifferent to them. You wound the Catholic, by taking away from him his civil capacity, and then you vote tithes upon him. You have marked him out as an object of degradation; you have separated him by disqualification from his Protestant brethren. One set of men are at court, and the other are not. You instigate the lower orders to revile each other; and if once a servant of the crown be permitted to revile and degrade any portion of his

Majesty's subjects, that portion cannot be said to be free; that portion is in every sense degraded.

It has been said, that the oath of the chief magistrate is a hindrance to any farther extension of privileges to the Catholics. We suppose this oath to be a check, and we suppose this check immutable with respect to alleviating, but changeable with respect to grinding the subject. But this oath can by no means in any sense be construed as an obstacle to the privileges of the Catholics. The imposition of the qualification oath did not take place with regard to Ireland till 1782, because the English Parliament had no right to impose any such oath. What then has been done since the Union? You have taken from us a parliament where Catholics were admissible, and brought us into a parliament where, by the oath of the King, it is pretended that Catholics are inadmissible. And this is what we have got then by the Union! According to this interpretation, the Union was a most monstrous innovation, for it supposes that religion depends alone for support on pains and penalties; that is, that it is false, and that it does not stand on its own evidence; it supposes that religion is merely a state trick, and that the first magistrate can alone preserve it by the infliction of pains and penalties.

It has been said, that the disqualifying oath is a fundamental law of the land. There are, I will allow, laws which are fundamental; liberty is one of the fundamental principles of our nature; and the laws which support these fundamental principles must be fundamental laws. The declaration of rights, for example, is a fundamental law; but the laws which deprive the Catholics of their liberty are not fundamental. In this way you would have two sorts of fundamental laws; you would have the laws which support and maintain you in the possession of your own privileges, and the laws which consign the privileges of the Catholics to damnation; as if the liberties of 10,000,000 of men could only be secured by making 4,000,000 the enemy of that 10,000,000. We must always remember, that to endear a constitution to a people, it must not be unjust towards them; and that if a people are interested in a constitution, the more likely is that constitution to be lasting. What are the terms of this oath? It declares that mass is to be held in abhorrence, and that it is an idolatry; that is to say, that all those Catholic nations who have been your allies are idolaters; that the Prince Regent of Portugal, whom you are bound to establish on his throne, is an idolater; the Emperor of Austria is an idolater; the King of the two Sicilies is an idolater; that the people of Portugal, to whom you formerly voted one million, and lately two millions, are idolaters; the Spaniards, your own fellow-

subjects of Canada, and four-fifths of your fellow-subjects of Ireland, are all idolaters. Thus the qualification of an English gentleman to serve in parliament is a libel on his allies, and a libel on his fellow-subjects. It is not easy indeed in all to draw the line of distinction, and say what laws are not fundamental, and what laws are; but here there is no occasion; for here are laws which you yourselves have declared not to be fundamental, but to be provisory. In the Union with Scotland, you expressly say that this is subject to the discretion of parliament; you say, "until the Parliament of the United Kingdom shall otherwise provide." Such is the language on this subject, in the twenty-second section of the Scotch Union, and the twenty-fourth of the Irish Union. These laws, therefore, are only provisory, and not fundamental; you have declared it repeatedly; and you have thus abandoned the great argument against the admissibility of the Catholics. By the Union, the declaration of right did not exclude for ever the Catholics: that declaration which signifies this, is subject to a future provision. Who are the parties to these Unions? The King and the parliaments. When I bring up to your table a petition loaded with the multitude of signatures which it contains, let it not be said that the declaration is against them, which the Parliament of England and the Parliament of Scotland, which the Parliament of Britain and the Parliament of Ireland have declared to be no part of the fundamental laws of the land. Why was this clause introduced into the Irish Union? It was introduced for the sake of facilitating the Union; it held out to the Catholics a possibility of the removal of their disabilities in the strongest terms; and it made the King a witness that nothing stood in the way of that removal, that it was a subject free to be debated, that there was no coronation oath against it, and no fundamental law of the land. I appeal to the candour of the House, if this is not a fair construction of the meaning of this clause. I appeal to the common sense and integrity of the nation. I appeal to that old English honour which has, as it were, dove-tailed itself into your constitution. I propose to you a measure which will give you safety, and make your enemies weak. Will you not adopt it? Why then will you support a principle which tarnishes your national faith?

If it is said, we do not like to admit the Catholics to a community of privileges with ourselves, I will ask you if you will allow yourselves to be guided by any such prejudices, to reject a measure which is not more essential to the welfare of the Irish Roman Catholic than essential to your own safety? What would you think of the conduct of that regiment which should refuse to march with another regiment,

and to act along with it, because that regiment was Roman Catholic? Why will you allow yourselves to be under the influence of such uncharitable prepossessions? What must be the consequence? If you will not tolerate one another, you must at last tolerate the conqueror. England is nothing without Ireland, and Ireland is nothing without England. Do you not know that the preservation of your own religion, your liberty, and all your privileges depends on the success of your efforts against the French? Do you not know that your success depends on your union among yourselves, and that, if instead of being united, you split and separate, you are a ruined nation. The government may tell you, you can wait. Yes; God Almighty may wait, but will the enemy wait? I now tell you, unless you tolerate each other, you must tolerate a conqueror. You will be enslaved and plundered, for confiscation will surely follow in the train of conquest. Thus, your property will go to other hands, and you will be a ruined nation. You may be a very grave nation, and a very wise nation; but if in one part of your policy, which is the most essential, you fail, if you split among yourselves, you are a ruined nation. That one error will be your death. It will render you incapable, with all your valour, to contend successfully against your foe, but even to preserve your existence as a nation. I have often wished that some guardian angel would descend, and raise those sectaries from the plain of this world, above the little Babel of their own dissensions, and show them the calamities which were approaching; show them, in the continuance of their jarring, ruin visible; show them France, or rather, hostile Europe, arrayed against them; and then say, "if you join you may live; but divided, the destruction must be universal."

Amidst all this discussion and dispute about tests, there is one test which has missed the wisdom of the wise, which the politician has not discovered, and which the divine, in his heavenly folly, has also not discovered, but which has been discovered by the common man, and that is, that you must allow every man to follow his own religion, without restriction and without limitation. Cactholicism and allegiance are compatible with one another. The Catholics constitute a great proportion of your armies; a great proportion of your marine force are Catholics; you continue to recruit your forces with Catholics. A statement has been furnished of the proportion between the Protestant and Catholic part of the forces quartered in the Isle of Wight, and of the crews of several ships at Portsmouth, and the Catholics were by far the greatest proportion. I do not say that the number of each persuasion amount to exactly what has been there stated; but I say, that in a view of our maritime and land forces, the number of Irish

Catholics are such as to be enough to turn the scale of empire. They have enabled you to vanquish those French, for a supposed attachment to whom you disqualify the Irish Catholics. The Russian, the Austrian, and the Prussian armies fled before the armies of France. Neither the insensibility of the Russian soldier, nor the skilful evolutions of the Prussian, availed them in the day of battle; they all fled before the French armies; so that, with her collected force, she gave a final stroke to the liberties of Europe. Whatever remained of the glory of Europe fell at the feet of France. In the last contest with Austria, feats of courage were displayed by the Austrians such as could be equalled by nothing but the courage that conquered them, and yet the armies of Austria were in a short time shattered by the armies of France. And if in another part of the continent you have been enabled to oppose that nation with more success, to whom was that success principally to be ascribed? It was to the Scotch Presbyterian, a steady and gallant soldier; it was to the Irish Catholic, whom you have incapacitated from honours and rank, and who, while he was exposing to every breeze his garments bathed in the blood of France, was also carrying about him the marks of your disqualification. One regiment, which had lately distinguished itself in a remarkable manner, was raised in Dublin, almost entirely of Catholics. Had the gallant officer* who raised these men, raised soldiers on the principle on which we admit members of parliament—had he insisted on their renouncing the eucharist, and declaring their abhorrence of mass, France would have had one eagle the more, and you would have had one regiment the less; but that gallant man, far above the folly of theology, did not stop for the sanction of either priest or parson, but told the soldier to draw for his country.

The question is, therefore, whether Irish Catholics are, or are not as capable of allegiance as the Protestants are, of which one should think there could hardly remain a doubt. And if I can collect at present a general sense in favour of the claims of the Roman Catholics, I shall be of opinion that the country may look to the issue of the present contest without dismay, and that she has such a security within herself, that she may behold the utmost efforts of the enemy with tranquillity. [Mr. Grattan then moved, "That the petition of his Majesty's Roman Catholic subjects be referred to the consideration of a committee of the whole House."]

* Lieut. Gen. Sir John Doyle.

23*rd April*, 1812.

Mr. GRATTAN rose and said, Sir, I have changed the question, and instead of a committee to consider the petitions I propose to move for a committee to revise the laws. Thus, every person who thinks that redress should be administered, whether in a greater or a less degree, whether by applying to the executive power to take a leading part in the business (as was the opinion of a right honourable gentleman, whose opinion deserves every consideration), or by proceeding ourselves to administer relief, must, I say, concur in this motion. The present powers of England chiefly regard Ireland and America; your efforts in other places must be chiefly influenced by fortune, but here you can arbitrate your own destinies; here wisdom may save, or folly may undo: and if you err here, you loose, deliberately, and by your own fault, your strength in the new world, and your anchor in the old.

The question I shall propose is a new one; it was hitherto debated upon the circumstance, it is on the principle you are now to decide.—The doom of Ireland lies before you; and if you finally decide against her petitions, you declare that three-fourths of the Irish, and one-fourth of the empire, shall be disqualified for ever. When you say we will not accede to the wishes of Ireland now, and advance no reason, which must not always exist, you mean never, but you do not say "never," because you cannot give to the tremendous sentence its proper denomination—a sentence abominable, unutterable, unimaginable.

The sentence purports to disqualify for ever, three-fourths of the people of Ireland for adhering in their own country to the religion of their ancestors. Recollect that Ireland is their country, and that your power in that country is founded on her liberties. That religion is their right, and the gospel is their property. Revelation is the gift of GOD, given to man to be interpreted according to the best of that understanding which his Maker has bestowed. The Christian religion is the property of man, independent of the state. The naked Irishman has a right to approach his God without a license from his king; in this consists his duty here, and his salvation hereafter. The state that punishes him for the discharge of that duty, violates her own, and offends against her God, and against his fellow-creature. You are the only civilized nation who disqualify on account of religion.

I allow that where religion is accompanied with any circumstance that tends to disaffection, the state has a right to interfere; but in

that case, it is not the religion that the state touches, but the disaffection, and here that circumstance does not exist, because here we have practical proofs of allegiance. You have read the public papers, you have seen the Gazette. With every repugnance to inquire into the state of the people of Ireland, there are some things which you must know. Your know they are fighting and dying in your service, and in this knowledge you learn the falsehood of the calumnies which were once offered against their pretensions; and what is more, oh! shame to relate it! admitted as evidence; their opponents said that no Irish Catholic could be loyal to a prince of the House of Hanover; they said that the Irish Catholic must ever hate an Englishman. They were not aware that they implied that the British government *had* made itself hated in Ireland, and had misgoverned our country from the beginning; they said that the Pope claimed in these realms a temporal power, that he claimed a deposing power, that he claimed a power to dispense with moral obligations; they said that oaths did *not* bind the Catholic, and that Protestants and Catholics could never amalgamate. Their charges were calumnies, the common calumnies of a scolding sect. They were received as evidence, notwithstanding they were answered by the impossibility of their truth. Had they been true, the Christian religion could not have existed an hour; had they been true, the Catholic states must have come long ago to moral and political dissolution. They were also answered (they need not have been answered,) by six Catholic universities—Paris, Douay, Alcala, Valladolid, Louvain, Salamanca, the best authority upon the subject. I need not refer to the answers; they refuted their calumniators;. to silence them was impossible; they state that the Pope had no temporal power in these countries; they state that he has no deposing power; and, regarding the charge of no faith with heretics, they repel the imputation with horror and contempt. These charges are also refuted by the oaths of the Catholics, which the Protestant legislature had made the test of their loyalty. See the oath of 1793; and by another, by the best possible answer, by an answer that sets misinterpretation at defiance, and refutes false logic by sound fact—by the practical allegiance of the Catholic. You have that evidence before you; you see it in the dispatches which recite your battles; you yourselves, without knowing, having decided upon the fact. What are your votes of parliament, returning thanks to the Catholics in the army and navy? what are they, but the verdict of the English Parliament in favour of their allegiance? But those votes of parliament that pronounce the Catholic to be innocent, pronounce the legislature that disqualifies them, to be guilty. Here stands on one side the

parliament with a penal sentence in its hand, and on the other, the Catholic with an acquittal by that very parliament; thus, under your own authority is the Catholic acquitted, and the parliament convicted.

With this practical evidence of their allegiance, and this your own seal and sanction, you have divers Protestant petitions in their favour; these petitions are prayers for their privileges, and evidences for their character. And first, where are the petitions against them? where is the petition from the city of London? where are those instruments that were to have overlaid your table? Your countrymen have not come here to mock the calamities of the state, by petitions to defend England at this perilous moment against the Pope and his seven sacraments; they have not aggravated the calamities of the state, by denouncing an eternal hostility to the civil privileges of three-fourths of the people of Ireland; they have not petitioned for the perpetual weakness of the empire, by demanding an everlasting separation of interest. The church too: I have not seen, in any great degree, its interference; I have not heard the ecclesiastical horn of discord and sedition. Where are the ministers of the gospel, who have left their God to follow the court, to damn their fellow-creatures for pay?—Where are the numerous pulpits blasted by the flag of ecclesiastical prostitution? Instead of one religion damning another for stipend and promotion, in the person of dull divines, instead of an ill-advised people coming down to parliament with petitions against their fellow-subjects, in the character of mad metaphysicians, I see but three petitions against the Catholics.

I see, on the other hand, the address of the livery of London, with a clause expressing a desire that civil disabilities should be removed. I see the sense of this great capital favourable, or not adverse, to Irish liberty and English justice. I see wisdom and justice, truth and security, speaking in the voice of many thousand Englishmen, petitioning in their favour. I see a petition from the Protestants of Ireland, denominated a Protestant petition, and signed by the greater part of the Protestant proprietors in Ireland; that petition, unaccompanied by any counter petition, may be called the Protestant interest of Ireland. The first name is Mr. David Latouche; that gentleman had originally voted against the Catholics; but seeing the changes of time, and weighing well the public exigency, he now comes forward in their favour: ever a foe to violence, and checking by turns the errors of the crowd, and the crimes of the court, independent equally of the king and the people, aloof from all party, and attached solely to the public good, he asserts to the last the integrity of his charac-

ter, and gives the authority of his name and his house to the service of his country. You have, in addition to this, the names of the house of Leinster, of Ormond, Meath, &c. &c.

You have the Protestant merchants, the Presbyterians, and, coupled with the Catholics, this petition may be said to comprehend the property and population of Ireland; in fact, the petition of Ireland lies upon your table. I congratulate my Protestant brethren in Ireland; they have asserted the true principles of the gospel, they have asserted the principles of civil liberty, and they give a warning voice to the British empire. If any misfortune should happen, they must share the evil, but they avoid the dishonour.

Before you dismiss the petitions, let us see who is the petitioner.—The kingdom of Ireland, with her imperial crown, stands at your bar; she applies for the civil liberty of three-fourths of her children. She pays you in annual revenue about six millions; she pays you in interest of debt about three; in rent of absentees, about two; and in commerce, about ten. Above twenty million of money is comprehended in that denomination called Ireland; besides the immeasurable supply of men and provisions, you quadruple her debt, you add three-fold to her taxes, you take away her parliament, and send her from your bar without a hearing, and with three-fourths of her people disqualified for ever. You cannot do it; I say you cannot finally do it. The interest of your country would not support you; the feelings of your country would not support you: it is a proceeding that cannot long be persisted in. No courtier so devoted, no politician so hardened, no conscience so capacious. I am not afraid of occasional majorities; I remember in 1782, to have been opposed by a court majority, and to have beaten down that court majority. I remember, on a similar occasion, to have stood with twenty-five, opposed to a strong majority, and to have overcome that immense majority. A majority cannot overlay a great principle. God will guard his own cause against rank majorities. In vain shall men appeal to a church-cry, or to a mock-thunder: the proprietor of the bolt is on the side of the people.

Should you, however, finally resolve upon such a measure, such a penal sentence, recollect how much you will be embarrassed by engagements, recollect the barrier is removed that formerly stood against the measure I propose. However we may lament the cause, we must acknowledge the fact, and perceive, that the time is now come, in which the Catholics were to expect a gracious predilection. They were taught to expect that their wounds would be healed, and their disabilities were to cease; that a great deliverer was on his way, that would wipe the tears of the Irish, and cast upon the royal family a new ray of glory

everlasting. They gave themselves up to a passion that was more than allegiance, and followed the leading light, that cheered their painful steps through the wilderness, until they came to the borders of the land of promise, when, behold! the vision of royal faith vanishes, and the curse which blasted their forefathers, is to be entailed upon their children. In addition to this immeasurable disappointment, you must consider another—you may remember the Union.

Without inquiring whether the repeal of Catholic disability was actually promised, it was the expectation of that measure which carried the Union. It is the price for the Union; and an essential part thereof; you will now pay the purchase of that measure. National honour, is power; in trade, it is capital; in the state, it is force. The name of England has carried you through a host of difficulties; we conjure you by that name to accede to those petitions; should you finally refuse, you repeal the Union; you declare the Irish and the English to be a distinct people; you not only declare it, but you do it; you dissolve the incorporation; they were kept together by hope, and you divide them by despair; you make them two distinct nations, with opposite and with hostile interests; the one with civil privileges, the other without; the one in the act of disqualifying the other; the oppressor and the oppressed.

The idea of the Union is twofold; a union of parliament, and a union of people. I see the union of parliament; and in that I see the measure which makes the legislature more handy to the minister; but where are the people? where is the consolidation? where is the common interest? where is the heart that should animate the whole, and that combined giant that should put forth his hundred hands for the state? There is no such thing: the petitioners tell you so; they tell you, that it is impossible such a policy should last; a policy that takes away the Parliament of Ireland, and excludes the Catholic from the Parliament of England; a policy that obtained the Union by the hope of admission, and now makes the exclusion everlasting.

The Catholics now come to you; they have brought their Protestant neighbours along with them, and they both call upon you for the civil capacities of the Catholics, and for the integrity of the empire.

Thus, you perceive, it is no longer a question between the different sects of Ireland, no longer a question regarding the security of the Protestant property or the Protestant church. Far from looking for that security in civil disqualifications, they deprecate those disqualifications as their principal danger, and they reduce the subject to a

question between the people of Ireland and the ministers of the crown.

So it now stands. But should you wish to support the minister of the crown against the people of Ireland, retain the Union and perpetuate the disqualification; the consequence must be something more than alienation. When you finally decide against the Catholic question, you abandon the idea of governing Ireland by affection, and you adopt the idea of coercion in its place. National disqualification, national litigation, informations, attachments, an angry press, an angry prosecution, errors on both sides; men discharged for their virtuous sentiments in favour of the people; such was the case of Mr. Stanhope;* domestic feud added to foreign war. Such must be the situation of Ireland; a situation which is nothing more nor less than preparation to render the Irish mind completely hostile to Great Britain. This misfortune will be very great to both of us. In what particular way it will break out I know not, but I know it will be ruin; when I say ruin, you must know I mean ultimate separation, separation either in fact, or separation in disposition—either will undo us. Nature protests against it: France, with all her powers, could not achieve it; civil disqualification may. We shall first be destroyed, and your gorgeous empire will follow; you are ruined by the hostility of Ireland, you are ruined by her neutrality. You are therefore pronouncing the doom of England. You, opposed to the population of France, with all her appendages; you, with only sixteen millions of inhabitants, strike out of actual operation four. Never was an instance of human insensibility so fatally displayed. The mad Athenian, when he disqualified for a few bushels of corn, a part of his fellow-citizens, was not so frantic. The mad Greek, who in the last moments of his existence refused the assistance of the West, damned the cardinal, and gave up his empire, was not more frantic.

A nation fighting for her existence, a wise nation, a civilised nation, striking out of operation one-fourth of her people, deliberately, in her senses, for no reason; the eucharist is no reason, the worship of the Virgin Mary is no reason; arguments of public scorn, if they were not the cause of public ruin; without any cause, except we suppose that the hand of death precipitates the empire; I say, you are pronouncing the doom of England. If you ask how the people of Ireland feel towards you, ask yourselves how you would feel towards us, if we disqualified three-fourths of the people of England for ever.

* Son of Lord Harrington. He attended and spoke at a dinner in Dublin, in favour of the Catholics.

The day you finally ascertain the disqualification of the Catholic, you pronounce the doom of Great Britain. It is just it should be so. The king who takes away the liberty of his subjects, loses his crown; the people who take away the liberty of their fellow-subjects, lose their empire.

The gentlemen who are invited by the call, think, perhaps, they are presiding over a few penal laws affecting the Irish, or exercising a lazy tyranny in the easy chair of pride and security: depend upon it they are mistaken. You are presiding over the fame and fortune of that great renowned empire called Great Britain. The scales of your own destinies are in your own hands; and if you throw out the civil liberty of the Irish Catholic, depend on it, Old England will be weighed in the balance, and found wanting: you will then have dug your own grave, and you may write your own epitaph, viz.:

"England died, because she taxed America, and disqualified Ireland."

It is worthy to inquire, how many rights you violate in order to destroy yourselves and your fellow-subjects. You assume a right to make partial laws, or laws against the very principles of legislation. You govern one part of the society by one code, and the other by a distinct one. You make laws as arbitrary as they are partial, that is to say, you disqualify one part of the society for differences, not more essential in a political point of view, than colour or complexion; as if you should say, no man shall be a general who has black hair; no man shall be a member of parliament who has brown. You not only make partial and arbitrary laws, but you invade the sacred right of religion; and you, with a sentence which is eternal, invade the sacred cause of liberty.

They say you have power to regulate qualifications; that is, you are a trustee for the privilege; but if, under pretence of regulation, you destroy the privilege, you exceed your power and violate your trust. Thus, if you enacted, that no man who had less than £3000 a-year should be a member of parliament, you would disqualify the people of England, and break your trust. Thus, when you, on the pretence of regulation, forbid the Catholic to sit in parliament, you disqualify a great part of the people of Ireland, and break your trust.

It is said, parliament may do partial ill for the general good. Yes; but the majority cannot take away the liberty of the minority; for this never can be the general good: still less, can the minority, as in the case of Ireland, take away the liberty of the majority; that would be a breach of the principle by which the society is compacted. You cannot rob one part of the society of her property, to enrich the com-

munity; still less, can you rob one part of the society of her liberty; and least of all, can you do that in the case of Ireland, which is connected with England, as that liberty is protected.

When the general good means the existence of the state, there the ruling power may abandon a part to save the remainder. But what is understood by the general good, in its modern application? It means power, as opposed to liberty: such was the case in the American stamp act; such was the case of the British statutes that restrained the trade of Ireland; such is the case now; it is the power of one sect over the privileges of the other: and what is that, but the disqualification of the part, and the dismemberment of the whole? Whenever one sect degrades another, on account of religion, such degradation is the tyranny of a sect. When you enact, that, on account of his religion, no Catholic shall sit in parliament, you do what amounts to the tyranny of a sect. When you enact, that no Catholic shall be a sheriff, you do what amounts to the tyranny of a sect. When you enact, that no Catholic shall be a general, you do what amounts to the tyranny of a sect. There are two descriptions of laws: the municipal law, which binds the people; and the law of God, which binds the parliament and the people. Whenever you do any act which is contrary to his laws, as expressed in his work, which is the world, or in his book the Bible, you exceed your right; whenever you rest any of your establishments on that excess, you rest it on a foundation which is weak and fallacious; whenever you attempt to establish your government, or your property, or your church, on religious restrictions, you establish them on that false foundation, and you oppose the Almighty; and though you had a host of mitres on your side, you banish God from your ecclesiastical constitution, and freedom from your political. In vain shall men endeavour to make this the cause of the church; they aggravate the crime, by the endeavour to make their God their fellow in the injustice. Such rights are the rights of ambition: they are the rights of conquest: and, in your case, they have been the rights of suicide. They begin by attacking liberty; they end by the loss of empire.

In all matters where the legislature interferes, you will take care to distinguish between nomination and eligibility. Nomination is the right of the person who nominates, and eligibility of the person who is nominated.

Eligibility is a common law right; and can only be taken away by act of parliament: but parliament can only take it away for crimes or unfitness: religion is neither. You cannot take away eligibility,

which is a common law right, on account of religion, which is a right also.

The clause of disqualification consists of three heads: the superstition of the eucharist; the adoration of the mother of God; and the Papal power. The two first are merely matters of religion, such as the state has no right to investigate, and such as form an objection, which must be, and which is for the most part, entirely abandoned. Two parts of the objection, then, are disposed of; and a third only remains; and that third, namely, the power of the Pope, is reduced to a mere spiritual authority: nor are the arguments founded, which say, that spiritual and temporal powers are inseparable; and which instance, as proof of their inseparability, marriage and excommunication. There is no solidity in their observation nor their instance, inasmuch as marriage is a civil contract; and all its consequences, inheritance and legitimacy, &c., depend on the civil quality of that contract, and cannot be affected by a spiritual connexion, of which the law has no conception; and to establish which, no evidence is admissible. This matter has been settled by the act which allows Catholics to be on juries; and therefore allows them safe and competent to try the validity of marriage; the same may be said of excommunication, which is an authority which cannot be enforced; attended by an obedience which cannot be commanded, the ecclesiastic who attempts to enforce such a power, is subject to a prosecution; and the parishioner who is injured, is entitled to damages, and damages have been given accordingly. To this objection there are further answers: the law, and the fact. The law, which has made the distinction between temporal and spiritual, and has (see 14th and 15th of the king) reduced that distinction to an oath, to be taken by Catholics, under the authority of an act of parliament. It is remarkable, that in our dealings with the Catholics, the arguments of their opponents have been answered by their laws. They say, the Catholics are not credible on their oaths; and they have made, by act of parliament, their oath the test of allegiance. They say, that temporal and spiritual power are inseparable; and they have made them distinct by act of parliament. They say, that the disqualifying oath is a fundamental part of the law of the land; and they have declared by the fourth article of the act of Union, that oath to be provisionary, not fundamental. They say, that by the constitution, the Catholics should have no political power; and they have made them by act of parliament, that is, by the act of Union, a part of the Commons, that is, of the third estate of the empire. Thus, they speak to the Catholics with a double tongue, and then most piteously exclaim, "These Romanists will keep

no faith with heretics." In further answer to their objection, which confounds spiritual with temporal power, and which supposes the Pope to divide with the prince the allegiance of his subjects, we have the fact as well as the law. Let the princes of Europe tell how far the Pope has shared or divided the loyalty of their Catholic subjects. Let the Pope declare how far he commanded the allegiance of the Roman Catholics in Europe, when he was dragged from his palace. This dreaded interpreter of the Scriptures, and this joint proprietor of allegiance, dragged to Paris through an immense extent of Catholic country, at the wheels of the car of a Catholic prince, without a sword in his support, or an arm to defend him. Or say, what succour has he, in all his afflictions, experienced, except when on the shoulders of the Protestant government of England. This unhappy old man was supported, an image of frail fortune and extinguished authority, until he was finally resigned to captivity and oblivion, the sole attendants on his state, without an effort to restore, or a partizan to console him, "more formidable than ever," exclaims the petition of Cambridge; and on this solid observation piously prays the legislature to impose on four millions of her fellow-subjects eternal disabilities. To this learned university how formidable then must the house of Bourbon appear. Like the Pope, that house has lost its dominions. How formidable Ferdinand of Spain; like the Pope, he has lost his liberty, and is possessed of all the resources that proceed from captivity and deposition. How criminal must our government appear, according to this reasoning, who pay above £20,000,000 to support in Spain and Portugal the respective governments in church, as well as state; and, of course, are contending to set up again the powers of France, in the person of the Pope, now represented to be more formidable than ever. See then how your right stands; of three objections, two are abandoned; the third reduced to a spiritual, and that spiritual power now reduced to nothing.

You profess to tolerate religion; you do not tolerate religion when you punish it. Disability is punishment; it is a punishment in a very high degree. You cannot say, that an application to get rid of that punishment, is an application for power; it is an application for protection. Civil capacities are defence; they are necessary to protect the Catholic against the injustice of a partial trial; they are necessary to protect him against the hardship of being taxed, and bound by a body of which he constitutes no part: when the Catholics desire eligibility to the office of sheriff, they desire a protection against juries, exclusively Protestant, modelled by a party sheriff; they desire that their lives and properties may not be tried exclusively by those who dis-

qualify them. If this be ambition, it is the ambition of not being hanged by a party jury; the ambition of not being robbed by a party sheriff packing a party jury. On a question touching Catholic claims, the Roman Catholics have not now a fair trial in Ireland; in a case between Catholics and Protestants they have not the benefits even which foreigners possess. I do not say this applies to ordinary cases, but I do say that where there is a question touching their exertions to obtain their civil privileges, they have not a fair trial. How many Catholics were jurymen on the late trials for the violation of the convention act? not one; they are not only deprived of the great executive offices of their country, but of the great protective principles by which their lives and properties should be defended. They are excluded from the office of sheriff by which juries are empannelled, and from that legislative body by which taxes are imposed.

Gentlemen call for security; we call for security; we call for security against a policy which would make the British name in Ireland odious; we call for security against a policy which would make the British faith in Ireland equivocal; we call for security against a policy which would disinherit, disqualify, and palsy a fourth part of the empire.

When gentlemen on the other side call for security, let them state the danger: does the danger consist in the eucharist, or in the political consequence attending the real presence? does the danger exist in the worship of the Virgin Mary? does the danger exist in an attachment to the house of Stuart? Let the opponents give us some serious reason; let them afford us some apology to after ages for inflicting on a fourth of our fellow-subjects political damnation to all eternity. They have but one danger to state; let us hear it; it is the Pope, and the influence of France upon that power. He has at present no power; France has no influence over him, and the Irish Catholic no communication: the danger, therefore, is prospective. What securities have they taken against it? domestic nomination. No, they have declared it impracticable and inadequate. You might have had the veto; you might have had it in 1801, when you had the Pope in your power; you might have had it in 1805, when you rejected Mr. Fox's proposition; and I believe you might have had it in 1808; but you lost it, and their opponents are answerable to the public for the loss of it. Well, domestic nomination they say will not do; the veto, they say, will not do. Have they any other measure? Do they propose a plan for making proselytes? Do they propose to discontinue recruiting from the Catholic body? They have no plan but civil disabilities, that is to say, national disqualification; but national disqualification is the

odium of the British name, and the hostility of the Irish people, and what is that but ultimate separation? Separation in fact, or separation in disposition. They have talked much of the security of the church, much of the security of the state, and much of the necessity to fortify both, and the only security they propose for either is, virtual or actual separation. For this, the church has been expected to preach, and the people to petition. They tell you, that there is a great danger in the relative situation of the Pope with regard to France; they suggest to you, of course, that some remedy is necessary, and they produce a remedy which does not act upon the disease, but is of itself another disorder, that goes to the dissolution of the empire. For this has Oxford, for this has Cambridge, petitioned, with good intentions I must suppose; but they have petitioned for the dismemberment of the empire.

Sensible of this, the people have not crowded your table with applications against the Catholics; on the contrary, the property, and the Protestant interest of Ireland, have petitioned for them; and, in addition to this, a number of leading characters in England have declared they cannot accept of office without taking measures for the relief of the Catholics. This is a great security; in this security, with other circumstances, I would advise the Catholics to place much confidence. Nothing could be more fatal to their cause than despair: they may be certain that their application must ultimately succeed, and that nothing can add to its natural strength more than the temper with which it is conducted.

I know the strength of the cause I support; it might appeal to all the quarters of the globe; and it will walk the earth and flourish, when dull declamation shall be silent, and the pert sophistry that opposed it shall be forgotten in the grave. I cannot think that the civil capacities of millions coupled with the cause of this empire, which is involved in their fate, shall owe their downfal to folly and inanition. As well might I suppose the navy of England to be blown out of the ocean by a whirlwind raised by witches, or that your armies in Spain and Portugal should be laid prostrate by harlequin and his wooden sword, as that such interests as I now support should be overturned by a crew of quaint sophisters, or by ministers, with the aid of a few studious but unenlightened ecclesiastics, acting under the impulse of interest, and the mask of religion. The people, if left to themselves and their good understanding, will agree; it is learned ignorance only that would sever the empire.

As the call of the House may have brought together many gentlemen who did not attend the former debates on the subject, I beg to apprise them of some further objections with which they must expect

to be encountered. They will be told, that the people of Ireland are base and barbarous, and are not equal to the exercise of civil capacities; that is, that the first order of Catholic gentlemen in Ireland, who are to be affected by the repeal of these laws, are base and barbarous; that is to say, that in the course of 600 years, the British government in Ireland has made the people of that country base and barbarous, or, in other words, that your government has been in Ireland a public calamity. They state the Christian religion, as exercised in Ireland by the majority of the people, to be another cause of this evil; and thus they suggest, as the only remedy, the adoption of a measure which would banish from that island her government and her religion. The folly, the indecency, and the insanity of these objections do not deserve an answer.]

They will tell you, moreover, that the spirit of the act of settlement, which deposed the reigning prince for his attack on civil and religious liberty, commits the very crime it punishes, and goes to deprive of civil liberties one-fourth of your fellow-subjects for ever.

Desire those men who tell you so, to show the clause in the act of settlement of such an import; and ask them, why they, in defiance of an express provision in the act, raise foreign Catholics to the highest rank in the army? Ask them, why the eucharist, which overpowers the understanding, as they suppose, of Lord Fingall or Sir Patrick Bellew, has no effect on these foreigners? and why they abandon their prejudices in favour of strangers, and advance them only to proscribe the natives of their country? They will tell you, that the disqualifying oath is a fundamental part of the act of Union. Desire them to read the act of Union: they will there find the disqualifying oath is directly the contrary; that by the fourth article of the Union, it is expressly declared to be provisionary, not fundamental; and you may add, that herein is a provision by act of parliament, declaring that the excluding oath, as prescribed at the Revolution, is not a fundamental part of the constitution. The same declaration will be found in the Scotch Union. Thus all the parliaments of these realms have repeatedly declared, that the disqualifying oath is not a fundamental part of the constitution; and, therefore, against the argument of the minister on this head, you may quote the two acts of Union, and also the authority of those who voted for the Irish act of Union; that is to say, some of the ministers themselves, and also of those who drew up the Irish act of Union, who, I apprehend, were some of themselves. Ask them, have they set forth in this act of parliament, that the disqualifying oath was provisionary, and, after obtaining the Union, will they now belie their own law, and assert that the oath

is fundamental? They will tell you, that by the constitution of the country, the parliament is Protestant. Ask them, are not the Commons a part of parliament? and are not the Irish electors a part of the Commons? and are not they in no small a proportion Catholic? The persons who argue with you thus against the Catholics, have sworn the oath at your table. Desire them to read it, and there they will find no profession of faith whatever; that Christianity itself is no part of the qualification; that any man can take that oath except a Catholic.

Ask them, whether that exclusion was not on account of political combinations formerly existing in Europe? ask them whether they continue? and, in answer to all their objections and jealousy, ask them, why they continue to fill their navy and army in such an immense proportion, with men whose race they affect to distrust, and therefore they presume to disqualify? Ask the generals and admirals how these men act in the fleet and in the field? Read the lists of the killed and wounded, and see in what number these men have died in your service; read the Irish names of wounded officers; recollect that they cannot be generals, and see in their practical allegiance a complete answer to all objections. Tell them, they must extend their constitution to their empire, or limit their empire to their church establishment. Or, if you wish for further information, do not apply to the court, but ask the country; ask the Protestant gentlemen of Ireland; ask the house of Leinster; ask the house of Ormond; ask the great landed proprietors of the country, men who must stand the brunt of the danger; ask their petition; and do not, in the face of their opinion, decide against the civil privileges of a fourth of your own people; do not hazard the name of England on such a principle; do not hazard the empire of England on such an experiment.

I appeal to the hospitals, which are thronged with the Irish who have been disabled in your cause, and to the fields of Spain and Portugal, yet drenched with their blood, and I turn from that policy which disgraces your empire, to the spirit of civil freedom that formed it; that is the charm by which your kings have been appointed, and in whose thunder you ride the waters of the deep. I call upon these principles, and upon you to guard your empire, in this perilous moment, from religious strife, and from that death-doing policy, which would teach one part of the empire to cut the throats of the other, in a metaphysical, ecclesiastical, unintelligible warfare.

I call upon you to guard your empire from such an unnatural calamity, and four millions of your fellow-subjects, from a senseless, shameless, diabolic oppression. You come on the call of the House

to decide, as you suppose, a great question regarding the people of Ireland. You have to say to them—We are ruined; unless we stand by one another, we are ruined; and they have to say to you—We require our liberties; our lives are at your service.

He then moved, "That it be referred to a committee to consider the state of the laws imposing civil disabilities on His Majesty's subjects professing the Catholic religion."

25th February, 1813.

Sir, I am very happy that the right honourable gentleman has caused those passages in the bill of rights to be read to the House, for I am distinctly of opinion, that the qualifications which it enumerates as the indispensable accompaniments of the sovereignty of this empire ought to form a part of the preamble of any bill that may be introduced into parliament for the relief of the Roman Catholics. For, Sir, it is most necessary and most wise, that whenever we admit the Catholics to the privileges which they claim, we should insure to the Protestants the unendangered continuance of all the privileges which are founded on the act of settlement. The same measure which gives liberty to one, should give security to the other. I rise, Sir, to support the petition, which some time ago I had the honour to present from the Catholics of Ireland. I am sure that I may say, without fear of contradiction, that this petition is generally from the Catholics of Ireland. That it is substantially true, and that it conveys the wishes of the whole body. The motion which I mean to make is, that the House will resolve itself into a committee, in pursuance of the resolution which, at the desire of my right honourable friend, has been read by the clerk at the table. Sir, I know very well, that a resolution of a former parliament cannot bind its successor. At the same time, I do not conceive that I am guilty of any impropriety in referring to the resolution of a former parliament. I have to lament, and it would be miserable affectation not to acknowledge it, that the petitions against the claims of the Catholics are very numerously and very respectably signed. I have to lament that there are still in my native country many individuals enlightened in other respects, but fallible on the subject of religious distinctions. I have also to lament and condemn the venomous manner in which some of these petitions denounce the Catholics. I will avoid the example; and, in the allusions which I may find it necessary to make to the Protestant petitions, I will speak of those, from whom they have proceeded, with the highest respect. I respect and love many of them. I dissent partially from their opi-

nions; but I respect and love them personally. Nay, more; I will consider them not as present enemies, but as future friends to the Catholics. They live in the same country, they are embarked in the same cause, they have the same battles to fight against the common enemy, for the common interest. Never can it be my wish to widen the breach between great bodies of men. The particular object of the Catholic petition is general concord. Never can I think that any difference in religion must necessarily lead to civil discord. Never can I believe that revelation came down to us a firebrand, to justify parliament in withholding from a part of the subjects of the realm their just rights.

Sir, I am the more induced to hope that the cause which I have undertaken humbly to advocate, will ultimately be successful, because I recollect that in the Irish Parliament of 1792, some general and strong resolutions were adopted against the claims then made by the Catholics; and that, in the next session, more was actually granted to the Catholics than they had claimed. The understanding of the Irish Parliament enlarged with the exigency of the state. I trust that this will be the case with us. With this view to the ultimate success of Catholic emancipation, I beg leave to make a few observations on the Anti-catholic petitions on your table; using that liberty with the arguments they contain, that my cause may require; but maintaining the greatest respect for the persons who have signed them, and whom, I am persuaded, are sincere in that which I, nevertheless, consider to be a very mistaken view of this most important subject.

In the first place, I object to the manner in which, in many instances in this country, and more particularly in Ireland, these petitions have been obtained. In Ireland, they have been the consequence of a requisition to the sheriffs of the respective counties, to call a meeting of the Protestant inhabitants. Now, it appears to me to be exceedingly objectionable for a public officer to call the people together in sects; and to give to a private and party meeting the authority of a public assembly. Again, it appears to me exceedingly objectionable, thus to separate religious sects, and to give the semblance of public authority to religious animosities. I object again to calling one part of His Majesty's subjects to petition against another; and still more do I object to their petitioning another country against the liberties of their own.

Sir, I beg not to be understood as casting any reflections on the Irish Protestant petitioners; but their object has evidently been neither more nor less than this:—to entreat the parliament of this country not to grant civil liberty to the great body of the people of Ireland.

They petition us to inflict on their countrymen a sentence of perpetual incapacity: they petition us to announce to Ireland the destination of being for ever a divided colony; and to impress on the general sense, an acquiescence in the necessity of this being a divided empire. Sitting for a moment, they have given judgment for eternity. Let us consider a little their reasons for this judgment. One of the first observations which these petitions contain is, that the tone which the Catholics have assumed, renders it unwise to grant their claims. But that is not the question. We are not in the Parliament of the United Empire entering into an examination of the arguments that may have been urged in this or that body. We are not inquiring whether Mr. A. or Mr. B. may or may not have spoken too freely. What has the conduct of any particular assembly to do with the great body of the Catholics? The question is, Shall the great body of the Catholics of Ireland be emancipated? The opponents of the Catholic claims say, that they ought not to be emancipated, because Mr. Fitzpatrick published a libel. But this is not a question dependent on such circumstances. I do not say that there may not have been much warmth exhibited in discussions in Ireland; but I say that the question is, Can you, in any of their proceedings, charge the Catholics with want of allegiance? It is a question of allegiance. If it can be proved, that the Catholics of Ireland have shown a disposition adverse to royalty, then my motion ought to be rejected. But if, on the contrary, there does not appear any disaffection in their proceedings, in their speeches, or in their general conduct, then the resolution of thanks to the Irish Catholics, which was involved in the resolution of thanks to the army, who gained the victory of Salamanca, should be followed up in its full and genuine spirit; and the Catholics of Ireland should be considered as entitled to the same civil liberties as the other loyal subjects of His Majesty's empire have a natural and legal right to possess. Having thus stated the question to be one of allegiance, let us proceed, Sir, to examine how the anti-Catholics have made out their case. They say that the Catholics desire political power. Why should they not? Why should they be sentenced to utter and hopeless exclusion from all political power? But, Sir, the Catholics have not applied for political power. They have applied for political protection; and no farther for political power than as political power is inseparable from political protection. The Catholics, having given pledges of their allegiance, desire not to be bound in fetters from which their fellow-subjects are free; they desire not to be taxed without their own consent; they desire not to be tried by persons who are exclusively partizans—not only partizans, but who are actually covenanted against

them. To the inquiry, "What is your wish?" they reply, "We wish for our liberties. We do not demand this or that office, but we desire to possess our just civil qualifications." Do you understand them? Is this ambition? If it is ambition, then was Magna Charta ambition—then was the Declaration of Rights ambition. Protection, not power, is the request of the Catholics. The Catholic petitioners ask for protection; it is the Protestants who ask for power. The Protestants ask for the ascendancy of their sect; the Catholics ask for the ascendancy of the law. Let me repeat, that I wish to treat the Protestants with all possible respect. It is natural that they should be tenacious of their peculiar privileges. But, unquestionably, they desire, by their petitions, to keep all the patronage of Ireland in their hands; to maintain a continued ascendancy; to govern the other sects in the country; while the Catholics only desire in their petitions, that the whole should be governed by an equal law. The Protestant petitioners assert, that the Catholics want power, in order to make laws for the Protestant church. No; they only desire, as I have before stated, not to be taxed without their own consent—not to be tried by partisans, or juries called by partisans. Their prayer is, that the Protestant church should be governed, not by Catholics, but by Protestants; for the Catholics know, and the Protestants know, that under any circumstances, and after any concessions, the majority in this House must be Protestants, and that by that majority, the laws for the Protestant church must be made. But the members of the Protestant church who have petitioned us, desire us to make laws exclusively for the Catholic church. They wish to control the conscience of the Catholic, as well as to bind him in other respects. They are willing to receive the tithes of the Catholic labour, but they desire to exclude the Catholic from a participation in the blessings of the constitution. Their argument is this; "the persons who regulate the Protestant church should be of that church." Why, then, all the Scotch members of this House ought to be sent away. All who do not profess to hold the doctrines of the church of England ought to be sent away. The tendency of the argument of these gentlemen is, that we ought to have a church government. But ours is not a church government, it is a representative government; it includes all classes, all religions, all descriptions of persons, except the Catholic and the churchman. The principle on which these gentlemen insist will prove fatal. If you confine the enjoyments of the constitution to the limits of the church of England, you will endanger the empire; if you extend it to all religious persuasions, you will place the empire in a state of security.

The parliament is justly called imperial. It is not a partisan. The

Catholics of Ireland make a part of the third estate. Is it not so? Is not the great body of electors in Ireland Catholic? Does it not follow, that a part, and that no inconsiderable portion, of the third estate is already Catholic? And can we for a moment suppose, that this is incompatible with the genuine principles of the British constitution? But the fact is, Sir, that the Protestants will, and must have the ascendancy in the state. The great population of the empire is Protestant; the great property of the empire is Protestant. This ascendancy the Protestants have a right to possess; but they ought to possess it, not by the exclusion of their fellow-subjects from a participation of civil liberty, but in virtue of their superior numbers and property. Sir, in the provision for the royal authority being exclusively Protestant, the Protestant interest has another great and wise security for the maintenance of its ascendancy. The admission of the Catholics to their civil rights will be entirely co-existent with the maintenance of the Protestant ascendancy; and, by granting that admission, you will strengthen and fortify the whole empire. To grant the Catholics their privileges, will be to identify the people; for it is by granting them their rights that you must expect to identify them, and not by keeping them in chains. To grant the Catholics their privileges, maintaining the just ascendancy of the Protestants, will be much more effectually to support the state, and much more effectually to support the church, than either can be supported by a monopoly of power, and without that identification of the people of the two countries, which such a measure alone can insure. Superficial, indeed, are the arguments of the opposers of emancipation; they think, that the admission of five or six individuals (such men as Lord Fingall, and other enlightened members of the Catholic body) into parliament, will be productive of injurious consequences; but to the alienation of four or five millions of persons out of parliament, they attach no importance! A right honourable gentleman has talked of the pains and penalties which, as he thinks, were justly inflicted on the Catholics at the time of the Revolution. They were not, however, the effects of the Revolution, but took place long after the reign of Queen Anne. As to the exclusion of the Catholics from political power, at the period of the Revolution, that was not an original idea at that period, but arose out of, and was founded on the fabricated plot of Titus Oates, the severities occasioned by which, were even mitigated at the Revolution. And will parliament make the madness of that time the rule by which the liberty of their fellow-subjects is to be regulated at all times? "But," say the anti-Catholics, "toleration in England is greater than in any other country." Sir, I know very well, that the

principles of every established church are, in some degree, hostile to toleration; there is scarcely any church which will tolerate so extensively and liberally as a wise parliament ought to do. But when it is maintained, that toleration in England exceeds that of any other country; and that it is perfect; I must declare my opinion to be the reverse.

Abroad, in Catholic countries, persons professing a difference of religious sentiments, enjoy not only toleration, but qualification. At home, in a Protestant country, persons professing a difference of religious sentiments, are not only disqualified, but hardly tolerated. Abroad, sectaries enjoy toleration, united with qualification. Here, they have a scanty toleration, united with pains and penalties. In France, for instance, no man is disqualified on account of his religious opinions. In Hungary, toleration and qualification are completed. I will read an edict issued by the Hungarian Diet, in 1791. It declares, "That all persons shall have free exercise of their respective religions, with full liberty to build churches, erect steeples, found schools, form church-yards, &c., without impediment." So much for religious toleration. Now for civil qualification. The edicts proceed to say, that "the public charges, offices, and honours, high or low, great and small, shall be given to native Hungarians who deserve well of their country, and who are competent to hold them, without any regard to their religious persuasion." This is the declaration of a Popish diet. This proceeds from one of those nations, which, according to the anti-Catholics, has no idea of toleration, as compared with this country! This Catholic government gives not only toleration, but qualification, and the Catholic church acquiesces in the gift. We give toleration without qualification; and we accompany that toleration with pains and penalties. The anti-Catholic petitions require, that those pains and penalties should be continued. The petitioners seem totally ignorant of the real state of things. They declare generally (mayors and corporations) that the principles of the Catholics are the same as they were at the worst of times. They state, and they state it after the demolition of the Vatican, after the prostration of the Inquisition, after the fall of the Pope, that religious toleration and that civil qualification ought not to be granted, which is allowed in every great country in Europe, England excepted. They assume that to be true in argument which is false in fact. They quote Catholic writers, who have said that the fathers and they hold the same opinions; and on this the anti-Catholics found a monstrous misstatement.

Sir, the Catholics of the present day have evinced their principles

by their oaths. They have abjured every criminal tenet attributed to their ancestors. In taking an oath framed by a Protestant, enacted by a Protestant Parliament, and going into the *minutiæ* of rejection, the Catholics have acquitted themselves, by a solemn obligation, of the principles formerly imputed to them. They, nevertheless, maintain, that there is no difference of opinion between them and their ancestors, because they maintain that their ancestors were charged unjustly with entertaining criminal opinions. This defence of their ancestors has been converted into a crimination of themselves; and they are suspected of maintaining doctrines, an adherence to which they deny on oath.

It is said by the anti-Catholics, that the Catholics have been, and are, always the same. The Catholics allow, that a true Catholic was and is always the same; but they add, that a criminal Catholic is not a true one. "But the Catholics are enemies to the Church of England." Sir, this is a very hasty and imprudent assertion; it is one calculated to make the Catholics that which they are not, enemies to the Church of England. If it proceed from high authority, it might be seriously dangerous; but coming, as it does, from persons, however respectable, whose opinions are not entitled to very serious consideration, it may be comparatively innoxious. Sir, why should the Catholics be enemies of the Church of England? If the endeavours of the Catholic to obtain his civil liberties be opposed by the Church of England, then it is not the Catholic that is the enemy of the Church of England, but the Church of England that is the enemy of the Catholic. What is it, Sir, that is to make a Catholic an enemy to the Church of England? Is it his doctrines? Is it the doctrine of penance, of absolution, of extreme unction? The affirmative would subject the affirmer to the most just ridicule and scorn. So much for the hostility of the Catholics to the church!

But it is said further, "the Catholics are enemies to the state." (Some honourable members on the other side of the House observed, that they were so "in principle.") In principle! Sir, I deny it. How are principles to be ascertained but by actions? If they are enemies to the state, let us go into the committee; and let those who allege that the Catholics are enemies to the state, support their allegations by evidence. If they plead the canons of the council of Lateran, of Constance, of Trent, I will produce authority of a much higher description; I will adduce the testimony of the parliament of the united empire; I will quote the thanks of that parliament unanimously voted to armies, of which a large component part was Catholic, for the most important service rendered to the state. Sir, the oppo-

nents of the Catholics go on to assert, that they are enemies to liberty. What! the authors of Magna Charta enemies to liberty! And have the Catholics shown no other attachment to liberty? I say that the very declaration of rights, which, on the motion of the right honourable gentleman opposite, was read by the clerk, sufficiently shows the love of the Catholic to liberty. For what does that declaration? It does not enact new laws, but it reaffirms those which the declarers found already established; and by whom were they established? Who were their authors? The Catholics; those alleged enemies of the church; those alleged enemies of the state; those alleged enemies of liberty! Why did the legislature, at the period of the Revolution, go further than to declare the law? Because the Roman Catholics had not only been friendly to liberty, but had so established the principles of liberty by statute, that the wisdom of the reformers could not exceed their distinct enactments.

Sir, what is the amount of the charge now preferred against the Roman Catholics? That they are governed and swayed by all those canons which, they contend, have been grossly misinterpreted; but which, however interpreted, they have forsworn. They are accused of maintaining the deposing power of the Pope; of cherishing regicidal principles, and of asserting the right of perjury. On these assumptions, and in this enlightened age, the Catholic is not only not admitted to the constitution, but formally excluded from it. Sir, I defy those who are hostile to Catholic concession to support their positions by any thing but by these canons; nugatory, contemptible, obsolete, and denied by the Catholics themselves. What were the answers made by the universities of Salamanca, Paris, Alcala, Louvaine, Douay, and St. Omer's, to the questions put to them? [Here Mr. Grattan read the following questions, proposed to those universities:]

"First, Has the Pope, or cardinals, or any body of men, or any individual of the Church of Rome, any civil authority, power, jurisdiction, or pre-eminence whatsoever, within the realm of England?

"Second, Can the Pope, or cardinals, or any body of men, or any individual of the Church of Rome, absolve or dispense with his Majesty's subjects from their oath of allegiance, upon any pretext whatsoever?

"Third, Is there any principle in the tenets of the Catholic faith, by which Catholics may break faith with Protestants, or other persons differing from them in religious opinions, in any transaction, either of a public or a private nature?"

Sir, continued Mr. Grattan, on the best authorities, I can assert

that those learned bodies were disposed, not to deny, but to ridicule the opinions imputed to them; not to reject, but to scorn them. They, however, answered, that the Pope had no such deposing power, and that, as to the supposition that the Catholics would keep no faith with Protestants, they were almost ashamed to say any thing on the subject. Sir, a book has been alluded to, and by the students at Maynooth; and it has been adduced as decisive evidence, not only of the criminal principles of the Catholics, but as a proof of the criminal principles which the posterity of the existing Catholics were doomed to imbibe by its being rendered available to the purpose of their education. These criminal principles are the authority of the Pope to depose royal authority, the consequent regicidal disposition of the Catholics, and the tenet that no faith is to be kept with heretics. The work I alluded to, Sir, is called *Tractatus de Ecclesia;* and, with the permission of the House, I will read several passages to show how baseless their assertions are.

[The right honourable gentleman here read some extracts from the book in question. They stated that Christ had not granted to St. Peter direct or indirect power over the temporal concerns of kingdoms; that by the kings and emperors of states alone, the supreme temporal establishment of them ought to be held. That the declarations of pontiffs were not to be considered as infallible, or as points of faith, which it was necessary to salvation to believe.]

Here then, Sir, said Mr. Grattan, is a book which has been traduced as a concentration of evils; and it appears that it enjoins principles directly the reverse of those which have been ascribed to it. When such are the misrepresentations that are circulated, the result is not surprising. But there is another work of higher authority to which I wish to refer. I mean the Common Prayer Book of the Catholics.

[The right honourable gentleman here quoted several passages from the Catholic Prayer Book, the tenor of which was, to declare that no general council, much less a papal consistory, had the power of deposing sovereigns, or absolving subjects from their allegiance; that the Pope had no authority, direct or indirect, over temporal affairs; that, notwithstanding any papal interference, all Catholic subjects were bound to defend their king and country at the hazard of their lives and fortunes, even against the Pope himself, should he invade their country; and, that the alleged duty of Catholic subjects to murder their princes, if excommunicated for heresy, was impious and execrable, being contrary to all the known laws of God and nature.]

I have another instance with which I shall beg leave to trouble the House, and which would go to complete the chain of proofs that show the Catholics are not without principles of allegiance, and which would acquit them of every charge and imputation on their loyalty. It is the oath taken by the Catholics, according to the 33rd of the King, in Ireland, after the oath of allegiance.

"I, A.B., do hereby declare, that I do profess the Roman Catholic religion.

"I, A.B., do swear, that I do abjure, contemn, and detest, as unchristian and impious, the principle that it is lawful to murder, destroy, or any ways injure any persons whatsoever, for or under pretence of being a heretic; and I do declare solemnly before God, that I believe, that no act, in itself unjust, immoral, or wicked, can ever be justified or excused by or under pretence or colour, that it was done either for the good of the church, or in obedience to any ecclesiastical power whatsoever: I also declare, that it is not an article of the Catholic faith, neither am I hereby required to believe or profess, that the Pope is infallible, or that I am bound to obey any order, in its own nature immoral, though the Pope, or any ecclesiastical power, should issue or direct such order, but, on the contrary, I hold, that it would be sinful in me to pay any respect or obedience thereto: I further declare, that I do not believe that any sin whatever committed by me can be forgiven, at the mere will of any Pope, or any person or persons whatsoever; but that sincere sorrow for past sins, a firm and sincere resolution to avoid future guilt, and to atone to God, are previous and indispensable requisites to establish a well-founded expectation of forgiveness; and that any person who receives absolution without those previous requisites, so far from obtaining thereby any remission of his sins, incurs the additional guilt of violating a sacrament: and I do swear, that I will defend, to the utmost of my power, the settlement and arrangement of property in this country, as established by the laws now in being: I do hereby disclaim, disavow, and solemnly abjure, any intention to subvert the present church establishment, for the purpose of substituting a Catholic establishment in its stead; and I do hereby solemnly swear, that I will not exercise any privilege to which I am or may become entitled, to disturb and weaken the Protestant religion and Protestant government in this kingdom.—So help me God."

"I, A.B., do hereby declare, that I do profess the Roman Catholic religion.

"I, A.B., do sincerely promise and swear, that I will be faithful, and bear true allegiance to his Majesty, King George the Third, and

him will defend to the utmost of my power, against all conspiracies and attempts whatsoever that shall be made against his person, crown, or dignity: And I will do my utmost endeavour to disclose and make known to his Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them: and I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the crown; which succession, by an act, entitled, 'An act for the further limitation of the crown, and better securing the rights and liberties of the subject,' is, and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the heirs of her body, being Protestants; hereby utterly renouncing and abjuring any obedience or allegiance unto any other person claiming or pretending a right to the crown of these realms: And I do swear, that I do reject and detest, as an unchristian and impious position, that it is lawful to murder or destroy any person or persons whatsoever, for, or under pretence of, their being heretics or infidels; and also that unchristian and impious principle, that faith is not to be kept with heretics or infidels: And I further declare, that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion, that princes, excommunicated by the Pope and council, or any authority of the See of Rome, or by any authority whatsoever, may be deposed or murdered by their subjects, or any person whatsoever: And I do promise, that I will not hold, maintain, or abet any such opinion, or any other opinions contrary to what is expressed in this declaration: And I do declare, that I do not believe that the Pope of Rome, or any other foreign prince, prelate, state, or potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm: And I do solemnly, in the presence of God, profess, testify, and declare, that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted by the Pope, or any authority of the See of Rome, or any person whatever, and without thinking that I am, or can be, acquitted before God or man, or absolved of this declaration, or any part thereof, although the Pope, or any other person or authority whatsoever, shall dispense with, or annul the same, or declare that it was null or void.—So help me God."

Now, I ask, what further answer you require to the charges urged against the Catholics? There is a further—an indictment or information; a criminal proceeding is the only anwer. The petitioners

against the Roman Catholics may say what they choose as to their good intentions; but with respect to the pamphlets which charge them with murder and treason as their creed, they must charge them with perjury also. If such a pamphlet was written against my Lord Fingall or Sir Edward Bellew, the printer would say in vain that he did not mean such an imputation. Suppose Lord Fingall should indict the author, would he be suffered to produce the canons in his defence?—Would my Lord Ellenborough, or my Lord Kenyon, suffer him to extenuate the offence, by citing the decrees of the council of Constance, or the council of Trent? No. But the author might urge in his defence, that he had no particular meaning injurious to Lord Fingall, or Sir Edward Bellew, but only to four millions of His Majesty's Catholic subjects. But there is another refutation of such a charge against the Catholics—the impossibility of its truth. It amounts to such a pitch of moral turpitude, as would burst asunder the bonds of civil and social intercourse; it would be a dissolution of the elements of society; and of the elastic principle which binds man to man. It is not merely unfounded, but monstrous; it is not in the nature of man, but in the nature of sects, which, when they contend for power, charge each other with what they know to be false. But there is another argument which I hope the learned divines will excuse me for adverting to. It is, that the Christian religion, or its clergy, are such as to be so described. I will see the tenets of the petitioners against the Catholics; I will first examine them when they pray, and then when they petition. When they pray, they address the Deity as a God of mercy and beneficence, who sent his Son on earth to spread religion, and peace, and love, amongst mankind. When they petition, they suppose that the Deity has abandoned his own revelations; that the human species are sunk in barbarism; that Christians are become monsters; and that the Deity, driven from other nations in Europe, is only preserved by the English divines, the colleges, and corporations. This doctrine goes to establish an exclusive right to power and profit, and, when eviscerated, is nothing more than a contest for those objects. I beg to be understood, as speaking with the utmost respect for those divines who have petitioned against the Catholics, but I must take some liberty with their arguments. I do not dispute the purity of their motives, I only quarrel with the nature of their opinions; and I hope that the time is not far distant, when I shall see the division of sects lost in the union of principles, and behold every denomination acting as one people in one common cause. For what is it, that you would exclude a great portion of your fellow-subjects from the participation of civil rights? They are traitors and murderers according to the

tenets which they profess. Here, then, is a proposition by which you would exclude one-fifth of your population from the benefits of the constitution, in order to drive them into those crimes with which you charge them. If you go on, you will scold yourselves out of your connexion. I hope, however, that parliament will consider, whether the elements of concord may not be found amidst this apparent discord. You say, on the one part, that there are legitimate objections; and you enumerate the evils that may arise from the removal of the disqualification of the Catholics. But a great portion of the Protestants of Ireland have not seen those evils. They have petitioned in favour of the Catholics. I have a book, filled with their names, in my pocket. I know that it will be said again, that the Catholics insist on conditions. I will not take this argument. You, the parliament, are to frame your bill, and to propose your conditions. The Catholics do not see what security they ought to give. They say, that they have already given every security, though a synod of their bishops has declared that they have no indisposition to every mode of conciliation. "We seek for nothing," say they, "but the integrity of the Roman Catholic church;" but everything which does not trench on the security of their church, or which is necessary for you, they are ready to grant you. They are against making their liberty a conditional boon; they do not see the necessity of what you demand, but they will give you every security you think necessary, provided it does not derogate from the rights of their church. Then, I say, the privileges of the Catholics, and the rights of the Protestant church, are perfectly consistent, and parliament should find the means of reconciling them.

Give me leave to say, as to the anti-Catholic petitioners, that many of them do not profess themselves hostile to the principle, but anxious about the mode of extending those rights claimed by the Catholics. They do not say, "Exclude the Catholics," but "do not admit the Catholics, unless you take care of our religion." I do not say, that I am obliged to agree that the church of England is an enemy to the liberty of the Catholics, still less that the people of England are enemies to their liberty; so far from it, that I would little fear to repose the question on their good sense and sober integrity. I do believe, that if they believed their religion was safe, they would be among the warmest friends of the Catholics. The only point, then, is the security of the Protestant church, and for that they have pointed out the means—they have no right to say, that they are the only judges of the conditions to be imposed, or to tell you that you can only save the church of England, by denying their prayers to the Catholics of Ire-

land. You shall have declared, in the strongest manner, all the securities you can ask; you shall have the crown and its succession confirmed, as fundamental, unalienable, and sacred; you shall have the episcopal church of England, Ireland, and Scotland, as established by law. Some of the petitioners against the Catholics desire the separation to be eternal; I would secure the church and state, by identification; they would do it by patronage; I by union. I would effect every object by bringing in a bill, which should contain such provisions as would guard the rights of the church, and the colleges, and the corporations; and I would leave other provisions to be filled up by others in the committee, provided they were not filled up in such a manner as to qualify, or rather to neutralise, the liberty you were conceding, or to displace the gift you were bestowing. Such a measure I think practicable, and I know it to be desirable. This preamble I would make a covenant of concord, in which I would urge the necessity of putting an end to all animosities, national and religious. The two islands have been for two centuries in a state of political contest. I would put an end to it. I would have the liberty of the press unrestrained in everything but one—the people should not abuse one another out of their allegiance. They have the French and the Dutch to quarrel with abroad, and they may quarrel with ministers at home, or if they do not like that, they may attack the opposition; but they should never wage war against each other. It is a system that you cannot put an end to too soon. You are one people. You have but one interest. The outcry which is raised among you, is neither the voice of religion, nor the voice of nature, and it cannot be appeased too soon. I would, therefore, propose as a first step, that the House should go into a committee on the Catholic claims, agreeably to the resolution of the last parliament; and I will now read the resolution which I shall bring forward in the committee, as the foundation of a bill. "That, with a view to such an adjustment as may be conducive to the peace, strength, and security of the English constitution, and the ultimate concord of the British empire, it is highly advisable to provide for the removal of the civil and military disqualifications under which His Majesty's Roman Catholic subjects at present labour; making full provision, at the same time, for the maintenance and security of the Protestant succession to the crown, according to the act of limitations, and for preserving inviolable the Protestant episcopal church of Great Britain and Ireland, and the church of Scotland, their doctrines, discipline, and government, as by law established."

Mr. Grattan then moved, "That this House will resolve itself into

a committee of the whole House, to take into its most serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such a final and conciliatory adjustment as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and to the general satisfaction and concord of all classes of His Majesty's subjects."

2d March, 1813.

The debate which ensued on the motion was resumed on the 27th February, 1st and 2nd March, when—

Mr. GRATTAN rose in reply: He would not, he said, at that very late hour, and in the exhausted state in which the House was, enter into anything but a brief comment upon some observations which he had just heard. I am asked, Sir, why I did not come forward with a specific detail on the part of the Roman Catholics of Ireland, of those grievances, the redress of which they now seek from the legislature, and the securities which they mean to concede. Had I so proceeded, Sir, in what manner would I have been met? I should have been answered, "You, Sir, do not speak the sentiments of the Catholic body of Ireland. You do not speak the opinions of the great population of the land; you merely pronounce the decision of a body, calling itself the Catholic Board; you bring before the House the proceedings of a set of men unconstitutionally legislating out of the kingdom. A party now coming forward, not with the view to consult, but to command the legislature of the empire." Such, Sir, would have been the argument by which I should have been received. But the right honourable gentleman opposite (Mr. Bathurst), called upon me to institute an inquiry into the principles of my bill, before the proper stage of its discussion, before it should meet with the investigation of a committee. I will do this right honourable gentleman the justice to believe, that his argument in favour of a point so erroneous in principle, so utterly untenable, arises not from his conviction of the correctness of his logic, but is the result of the ministerial situation in which he is placed. He naturally writhes at the idea of this discussion, and easily finds objections to articles not founded in fact. You, Sir, in a committee will have opportunities of considering, in the most minute manner, the nature of that important subject "Catholic Emancipation." It is true, Sir, that from various parts of England and Ireland, a variety of petitions have been presented, which now lie

on your table. These petitions are of three different kinds. One class from Roman Catholics praying the removal of disabilities under which the penal statutes had placed them. A second class from Protestant communities, in support of the claims of their Roman Catholic fellow-subjects; and a third class, Sir, praying the legislature to guard against the danger arising from granting the prayer of the aforesaid petitions, and imploring parliament to guard the supremacy of the established church; the latter, however, in very few instances, objecting totally to the nature of these claims, provided sufficient securities were at the disposal of the state. Very few in England, Sir, very few in Ireland, very few in the empire, are hostile to this discussion. On the contrary, the great majority are favourable to the principle of emancipation; the qualifications of which (if any be deemed necessary) will be the matter to which I would call the attention of the House, should we go into a committee. The right honourable gentleman, Sir, has expressed his displeasure at my remarks on the means which have been resorted to, in this country, and, in many instances, by individuals professing our religion, to procure some petitions, which your clerk has read. I would not, Sir, indulge in any unconciliatory remarks upon the clergy of the country. But when the under clergy of this country charge my countrymen with the crime of holding principles dangerous to the community, with the profession of tenets hostile to the existence of the state, I shall not withhold my astonishment at such a calumny; nor shall I silently submit to the propagation of such libels, without those severe animadversions against them which their conduct deserves. And here I most solemnly protest against the foulness of those proceedings. The honourable gentleman (Mr. Yorke) has been so completely answered by the honourable gentleman opposite (Mr. Canning), that I have little to add upon the inconsistency of his vote. I shall merely confine myself to that part of his speech, in which he directed the bill of rights to be read; and pronounced any repeal of the penal laws to be at variance with the solemn enactments of that celebrated law. I am the more led to remark upon this passage, because it was afterwards enforced by the secretary for Ireland.* These official gentlemen contend, that the exclusion of Catholics from parliament, forms a part of the bill of rights. In answer to the assertion, Sir, I shall produce the authority of parliament, and refer them to an act of Queen Anne. I shall therefore, Sir, upon their own document, refute their own principle. [Here the right honourable gentleman read some extracts from this

* Mr. now Sir Robert Peel.

act, at the time of the Union of Scotland, also from the Irish statutes, the tenor of which was, "that every person in Great Britain, until parliament should otherwise direct (the right honourable gentleman particularly called their attention to this reservation), should take the oath prescribed."] He concluded by contending, that any man of the plainest capacity, need only read the oath, to be fully satisfied that it was a conditional, not a fundamental provision. "I leave to this House to consider its construction; that which is plainly and obviously accompanied by a provisional reservation, can never be recorded as a fundamental enactment."

9th March, 1813.

Mr. GRATTAN said, he had thought it unnecessary and inconvenient the other night, when the House shewed the greatest anxiety to come to a decision on the question, to go at large into any reply to the arguments against his motion. He would now, however, remark upon several of them; and in doing so, he thought it right to observe, that he had made an alteration in the resolution, as it was originally proposed. It did not, however, at all alter the principle, but merely modified the terms in which it was expressed. The alteration, which he was sure could not meet with the disapprobation of the opponents of the measure, was to this effect: That the House would take measures for restoring to the Catholics the privileges of the constitution, subject, however, to certain exceptions, and under such regulations as might be deemed necessary to support the Protestant establishment in church and state. This was a suggestion proposed by a right honourable gentleman, with whom, in principle, he completely agreed: and he did most willingly comply with it, not as any dereliction of the principle, but as a modification of the terms in which it was conceived. With regard to the church of Scotland, and the people of that communion, they seemed to be perfectly acquiescent in the wisdom of parliament on this question. It was of great importance to the motion, that he could say that the presbytery of Scotland were not hostile to the measure of concession and conciliation. The presbytery of Edinburgh were, indeed, against the Catholics, but that of Glasgow was favourable; and he might conclude from their not having petitioned, that the great body of the church of Scotland was friendly to the Catholic cause. Nor could it be maintained, that the church of England, generally speaking, was against the principle, though many of its members had been more active in opposing the measure, than the Scottish clergy had been; and though it may be granted, that

many of the clergy were not placable, yet it did not follow as a truth, that the people of England were in general hostile to the communication of their own privileges to the people of Ireland. The opposition to the Catholic claims was respectable: but at the same time they had received great and efficient support. Notwithstanding the opposition, to which he would not deny the name of respectable, how were we warranted to say, that the people of England were against the motion, when so few great bodies had expressed their opinion? If such was the case with the people of England, sure he was the great body of the Protestants in Ireland were still less unfavourable. The most respectable of the petitions from that part of the empire also, were not founded on the principle of opposition, but on the principle of security to existing establishments. He had no doubt, in short, that the weight of Ireland, both in point of property and respectability, was decidedly in favour of the Catholics.

But supposing the sense of the nation was divided on the subject, this furnished, in his mind, a decisive argument for finishing the controversy by the wisdom of parliament: if they found the country in a dispute, it was their duty to terminate it as soon as possible. The truth was, that too many at present of those who enjoyed the privileges of the constitution, founded their arguments for exclusion, on topics which affronted and insulted those who were placed out of this constitution; the controversy, therefore, must proceed to mischief, unless the wisdom of parliament interfered. He was convinced that many people in England, who signed these anti-Catholic petitions, did not understand the ultimate object to which they led; but were influenced by misconceptions and prejudices. If, for instance, they were asked, in plain terms, whether they believe the Catholics were enemies to liberty, and disaffected to government? he had little doubt they would answer in the negative; but, one opposition naturally begot another, and at length, by the mutual warmth of controversy, it might become a question, whether one-fifth of the population was well affected to the government or not. There was no saying where such disputes might end. He regretted that so many of the clergy had shown a disposition to place the security of the church on the principles of exclusion; by so doing, they did all that lay in their power to place it on principles which might be fatal to its existence. With respect to the enemies to the Catholic cause, what had they done? They had petitioned for a monopoly, and said that the concession of the claims would be dangerous. It was a subject fatal to the Protestant monopoly and the Protestant church. This party was for a perpetual division, and desired parliament to exclude a great portion of the

people from the benefits of the constitution; and upon what grounds? upon an argument that tended ultimately to force them out of the empire.

He would again revert shortly to the arguments that were clothed with the sacred name of the act of settlement. He allowed that it was a point of the act of settlement to exclude the Catholics, but it was by no means an essential part which could admit of no alteration. In the act of Union with Scotland, the oath was declared to be subject to future regulation: for it was declared, that it should remain as it then was, until otherwise provided for by parliament. This sufficiently manifested the power of parliament to interfere: and when his opponents set forth the consecration of the act of settlement, as an insuperable barrier, he should reply to them with this provisional act of parliament, which declared, that the oath was not fundamental, but subject to future regulation. At the time when the Union with Ireland was under consideration, it did not appear that it was deemed fundamental. Some of those who were concerned in that measure were still alive, and in the House; and were they, now that they had attained their object in gaining the Union, prepared to say, that they looked upon that this day to be fundamental which they then allowed to be provisionary?

But the argument upon which some honourable gentleman mainly rested, was the incompatibility of all the plans that had been proposed. His answer was, that a diversity of opinion, as to the mode of effecting Catholic emancipation, was by no means fatal to unity of principle with regard to the object. All were agreed, that the church of England, the church of Scotland, and the church of Ireland, should be amply secured and maintained. Here, at least, was concord. If you are agreed that the Catholic religion was consistent with the welfare of the state, you might have different modes of conciliation, but you were agreed as to one essential point. His right honourable friend under the gallery (Sir J. C. Hippesley), and himself might think differently as to the particular limitations and exceptions; any plan indeed to be proposed, would of course be the subject of modification, and a matter of debate. When the House resolved to go into the committee, they, in fact, decided that Catholic emancipation, however a question of difficulty, was not a question of impossibility. The question, indeed, before the committee, might be comprehended under three heads, the first was, give full liberty to the Catholics; the second, establish the church, by every requisite security; and the third, impose no conditions incompatible with the Catholic faith. These were the heads of what he should have to propose.

It had been said, that Mr. Pitt had sunk under the difficulties which the subject presented; and as a proof of this it was added, that he never had communicated his plan. But it was certain, that Mr. Pitt went out of office in 1801, not because his plan was impracticable, but from other well known obstacles. He did not think so in 1799, or in 1800, and from his communication through the late Marquis Cornwallis to the Catholics, it did not appear that he deemed the measure impracticable in the following year. That person, on that occasion, sent the letter he alluded to, to the Catholics of Ireland, in which he told them, that "by acting with moderation, and pursuing a loyal and dutiful line of conduct, they would afford additional grounds of argument to the growing number of their advocates in this country, till their object was ultimately attained." Such was the language of the letter which Mr. Pitt caused to be transmitted to Lord Fingall, Dr. Troy, and others. What, again, did the Marquis Cornwallis say on that very occasion? He gave his formal opinion, annexed to the same communication, that the measure of emancipation was necessary for securing the connexion between Great Britain and Ireland. Again, when the question was brought forward by Mr. Fox in 1805, there was nothing in the language of Mr. Pitt to show that he considered the measure impracticable. He said, there was a bar to its agitation, the nature of which was sufficiently understood, but never that it was impracticable. He differed as to the right, but not as to anything that concerned the question as a measure of regulation. He even alluded to the plan which he had entertained, as consisting of a variety of regulations. Nine months after this period Mr. Pitt died; so that we are now called upon to believe, that what he contemplated as practicable for six years, within these nine short months he found out to be impracticable. But what were the difficulties under which the mind of Mr. Pitt was supposed to sink? Why, they were the difficulties of promoting meritorious Catholic officers on the staff of the army; of admitting such men as Lord Fingall into the House of Peers, and as Sir E. Bellew into the House of Commons! These were the mighty difficulties under which his mind was supposed to have sunk, he who had the ability to destroy seventy Irish boroughs! There was a difficulty started in the Irish Parliament, at the time when it was proposed to grant the Catholics the right of voting at elections; it was then said, that an inundation of Popery would sweep away everything before it. But what were the effects of this restoration of Catholic rights? Ireland had evidently gained by it; the elections were more free and independent; they were now founded not on monopoly, but on property and respectability.

In addition to Mr. Pitt, he begged leave to name Mr. Burke, Mr. Fox, and Mr. Windham, distinguished statesmen and philosophers, and strenuous supporters of the Catholic claims. He might also enumerate men of learning, like the Bishop of Llandaff, and the Bishop of Norwich, a name that would be ever respected, and which was dear to every friend of religious liberty and social freedom. It was also remarkable, that the Lord-lieutenants of Ireland, for the last fifty years, were uniformly in favour of them. Lord Fitzwilliam was decidedly so; Lord Camden, who went over to Ireland with opposite sentiments, and who lived in that country at a most trying time, when he could not avoid knowing the opinions of the Catholics, was ultimately for concession. He, too, was the friend of Mr. Pitt, and might be supposed not unacquainted with the sentiments of that individual. Lord Cornwallis publicly declared it essentially necessary for preserving the connexion between Great Britain and Ireland. This was the practical conclusion formed by a statesman and a soldier, at a most critical period of Irish history, and was entitled to the utmost respect. Lord Hardwicke did not go over a friend to the measure; but after some years' residence as Lord-lieutenant, he altered his opinion, and now supported it by his vote. His right honourable friend, the late secretary for Ireland (Mr. W. Pole), had, at first, opposed the Catholics on account of the obstacles that existed in certain quarters to the granting their claims; but when, by the removal of the restrictions on the Prince Regent, such obstacles were done away, and after his right honourable friend had derived, from five years' official residence in Ireland, a high degree of experience on this subject, he had voted in favour of the Catholics, and had stated, that, in his opinion, the country could not do well without some measure of the kind. He had, for this, been charged, and, in his opinion, unfairly, with inconsistency. His right honourable friend's mind was not stationary, like the minds of those who made this idle accusation. He showed that it was progressive; and he was right, for time and circumstances had operated very powerfully in favour of the Catholic question.

There was a time when Roman Catholic emancipation would not have been heard of without horror; but the intenseness of the prejudice, as had been stated by an honourable gentleman on a former night, the intenseness of the prejudice had been weakened. Those professing the two religions had advanced much nearer to each other in spirit; so that, though they still differed on points of faith, they were much more likely than formerly to coalesce in other respects. He intended to propose certain resolutions, first, that the Catholic disabilities should be removed. Second, That the establishments in

church and state ought to be effectually secured; and he should then propose regulations for the ecclesiastical courts, and other matters, and an oath against foreign influence. It might be demanded of him to state the regulations; but he would not, and for this reason, that under pretence of opposing these regulations, some gentlemen would oppose the principle. He would only say, that if any gentleman on the other side proposed any regulation of security not trenching on the Catholic religion, he would support it; for he valued the principle so much, that he would not hazard its loss by precipitation and punctilio. His object was to lay the seminal principle of making the inhabitants of the empire an united people. The language we ought to hold was, we are friends to your liberty, and to our own religion. Suppose he was to introduce a clause into the preamble of his bill, saying, it was necessary that the Protestant succession should be secured, in order to obtain the concurrence of some of those who opposed his measure,—would they not then admit that to be provisional now, and not fundamental, which they formerly, in their comments on the bill of rights, contended to be fundamental, and not provisionary? For his own part, he must say that he valued the principle too much to surrender, or lose it for reasons of regulation. If once admitted, it would make the empire one, for it was a principle of union and regeneration.

If the resolutions were agreed to, he should then move for leave to bring in a bill: but he was not desirous of precipitating the measure. He thought that time ought to be given for men's spirits to cool; that they should not legislate without consulting the feelings of the people; and that, in the mean time, they should repose upon the good sense of both countries; and not take any step that would deprive the cause of the benefit of that good sense. It might be asked, why the Catholics did not protest against the violence of some of their own body? The answer was, that parliament had not given them encouragement. But when the arm of parliament should be once stretched out to the Catholics, there would be many wise and moderate enough to embrace it. By thus evincing a conciliatory disposition towards the Catholics, parliament would, at all events, show that the fault did not lie with them, should the measure prove unsuccessful. Let them send out the dove, and she will bring back the olive.

The right honourable gentleman concluded, by moving, "That, with a view to such an adjustment, as may be conducive to the peace and strength of the United Kingdom, to the security of the Established church, and to the ultimate concord of all classes of His Majesty's subjects, it is highly advisable to provide for the removal of the civil

and military disqualifications, under which His Majesty's Roman Catholic subjects now labour; with such exceptions, and under such regulations, as may be found necessary for preserving, unalterably, the Protestant succession to the crown, according to the act for the further limitation of the crown, and better securing the rights and liberties of the subject, and for maintaining, inviolable, the Protestant episcopal church of England and Ireland, and the doctrine, discipline, and government thereof; and the church of Scotland, and the doctrine, worship, discipline, and government thereof, as the same are respectively by law established.

11*th May*, 1813.

Mr. GRATTAN rose, he said, for the purpose of opposing the proposition of his honourable friend. He certainly should feel a considerable degree of difficulty in answering the speech with which his honourable friend had prefaced his motion; not on account of any force or cogency of argument observable in it, but from its extraordinary length, and the immense extent of the subjects which it comprised. He begged leave, however, before he entered into the consideration of his honourable friend's speech, to return him his most sincere thanks for the great services he had on former occasions rendered to the cause of religious liberty—services which never could be forgotten, and which rendered it painful to be obliged to differ from him on the present occasion. His honourable friend now proposed, "that a select committee should, in the first instance, be appointed to examine the state of the laws at present affecting the Roman Catholics." Connected with this subject, there were four other propositions, embodied in the same motion, the whole of which proceeded on the supposition that the House were ignorant with respect to the Catholic question. His honourable friend must surely have forgotten, that thirty-five years had now elapsed since the question was originally discussed, and that twenty years had already been consumed in this inquiry. Could he not call to his recollection, that it was brought before parliament in 1791, again in 1792, in 1793, in 1795, in 1805 (on a motion made by Mr. Fox), in 1808, in 1810, twice in 1811, and three times, both in 1812 and 1813? Had he forgotten the part he had himself taken in those different discussions, as well as the various books he had published on the subject? Was it possible that he had lost all remembrance of the victories he had gained—of the adversaries he had put to flight—of the theological arguments which he had conducted, so much to his own honour, and so decidedly to the discomfiture of his opponents? would he now con-

tend, (for so, in effect, he did, when he stated that the subject was not understood by the House), that all his labours had been useless, or was it by a very strange excess of self-denial, that he wished to forego the fruits of those victories, and fight his battles over again, giving his enemies ground for claiming a triumph, where they had sustained signal and complete discomfiture? No! this was impossible; his honourable friend's motion was defeated by the services which he had performed, his very successes in this way deprived him of the power of now saying, that the country was uninformed upon the subject. Under what circumstances were they called on to accede to this proposition? A resolution had been passed, in which the House stated, "that it was advisable to make provision for the repeal of the remaining penal laws," and what was the motion of his honourable friend? "that a committee should be appointed for the purpose of inquiring into the grounds on which you, the House of Commons, have resolved that it is so advisable." After a debate, which continued for several days, the House came to this conclusion, "that it was highly advisable to provide for the repeal of those laws;" and now they were called upon to enter into an examination of the principles by which they were influenced. With all respect to the House, he would suggest that such a measure would be little short of a disavowal of their own act. If they adopt it, they would tacitly say, that they regretted their admitting the introduction of the present bill. They would avow that their resolution was precipitate. The honourable baronet had confessed, that if the effect of his motion should be to get rid of this bill, he thought it would be so much the better. Now, it would be for the House to determine, whether it would be right to get rid of the bill in such a manner. The question was not, whether the House would go into this committee merely, but whether they would reject the bill then pending? that, and that only would be the effect of such a proceeding. It would not be a rejection for six months or for a session, but i would be a rejection for an indefinite period.

The whole question of Catholic liberation would be postponed; not, as he had already observed, for a certain period. No! it would be postponed till all the penal laws were examined. Not merely those laws which were enacted since the reformation, but those which were made before it; not only our own laws against Catholics, but the proceedings in colleges, and ecclesiastical courts, and all the controversies on doubtful and disputed points. To demand of them to examine the laws affecting the Roman Catholics, was, in effect, to ask them to do that which, in respect to time, could not be done for a very long period. And could it be supposed, that any rational man would agree to a

measure which must inevitably put off the adjustment of this great question for ten, or even for twenty years, or could it be supposed that any person who wished for the success of the Catholic cause would be satisfied with such a delay? Could it be supposed that the Catholics could be contented that their claims should be kept back for nine or ten years, until a committee had made a report upon the immense mass of matter which the honourable baronet wished to refer to them? His honourable friend had alluded to the proceedings in the case of the slave trade, and observed, that the legislative proceedings on that occasion were preceded by the labours of various committees. But it should not be overlooked, that that question was first agitated in 1788, and the bill was not passed till 1807, a period of nineteen years, during which time incessant appeals were made to the justice and humanity of parliament. In fact, if the motion were granted, they would do worse than reject the bill; because they would do it with a sort of apology, which stultified themselves, by a confession of ignorance, which they ought not to evince on any subject, and which, on this particular subject, they could not be supposed to possess. He objected to this intended exhibition of the penal laws, because it was not necessary with a view to their repeal, and much matter was contained in them which was calculated to produce discontent and irritation. It was on this ground, that an honourable gentleman on the other side of the House had opposed the production of a book which enumerated a considerable number of the penal laws still in existence. That honourable gentleman was of opinion, that no benefit could result from such a statement of grievances; but they were now called upon to do that by the committee which, in the particular instance referred to, had been refused, and themselves to furnish those topics for animosity, by holding forth to the public as acts in force, those which were in fact, and in practice, obsolete.

This committee would not only revive the odious name of the penal laws, but it would answer a variety of other purposes. It would be a judicial committee, in which the charges against the Catholic bishops would be investigated; and whatever the result of such an inquiry would be, he conceived that it was one not at all consistent with the dignity of the House. It would not perhaps actually tax them with disaffection to the government, but it would certainly, whatever might be the extent of their suspicions, or accusations, put them and the whole Catholic body on their trial, and this on the suggestion of an individual. The committee which the honourable baronet proposed, was not merely to examine the acts of religious councils, but it was likewise to be a committee of diplomacy, for it was to examine all the

acts which had been done by foreign states upon this subject; and until their report could be had, no bill was to be brought in for the relief of the Catholic, or the security of the Protestant. After this laborious investigation, a report was to be drawn up; and, until that report was made, no bill for the relief of the Catholics and the security of the Protestants could be introduced. Therefore, on the same principle which induced him to seize the opportunity of bringing in the bill, he must oppose a motion which would have the effect of frustrating everything that had already been done. In stating the necessity of thus opposing his honourable friend's proposition, he could assure him, that he felt the highest respect for him personally; and that he gave him full credit for the great services he had rendered the Roman Catholic body—services, which no difference of opinion could ever obliterate from his mind. Having said thus much, he thought it was necessary to state, briefly, the nature of his bill; and the more so, because it was said, that it had given great offence in Ireland, and created a flame throughout that country. This assertion he positively denied. As far as his correspondence extended, the Catholics, in general, were well pleased with the provisions of the bill: the great body professing the Catholic religion were ready to receive, thankfully and gratefully, whatever the House of Commons thought proper to grant; and they were willing to give every security, provided it did not trench on their religious principles or their civil rights. The order of the day was for the second reading of the bill for the relief of the Roman Catholics. That bill consisted of four parts: it began first by conceding the right to sit in parliament; it secondly communicated the privilege of voting at elections for members of parliament; thirdly, it gave to the Roman Catholics corporate rights; and fourthly, it also opened to them civil and military offices. It was, in fact, what it was intended to be, a bill of incorporation. There were many penalties now existing in the books, but which were never enforced; and it would, of course, be desired, that they should no longer exist, even in the books. The main object of the bill, however, was a communication of rights and privileges to the Catholics, under such restrictions as should be considered sufficient securities for the Protestant church. By giving the Roman Catholics great political privileges in common with their Protestant fellow-subjects, they would be incorporated with them; their present disabilities would be rendered of no avail; and the remaining penal laws might be swept out of the statute book at any future period. It was said, that some bodies of Catholics not only disapproved of the bill, but had reduced their objections to the form of resolutions. He, in consequence of this report, made it his business to inquire very

minutely into the fact, and he found that the statement was not true. He learned that the Catholic board, which was more particularly alluded to, had entered into no such resolutions; that board had not sanctioned or adopted the sentiments imputed to them in the public papers; and, therefore, the argument founded on the assumption that they had, was not tenable. It was an argument resting on a report, which report proved not to be founded in fact. When the Catholic board were apprised of the successful motion which had been made in support of Catholic emancipation, they returned thanks to those gentlemen who had taken the lead on that occasion, and who had been entrusted to frame the bill. They met a second time, but no act of their's could be construed an abandonment of their former approbation.

At the last meeting, they merely resolved to send an additional number of delegates to London, but they expressed no dislike to the measure proposed for the relief of the Roman Catholics. Having, in the first instance, thanked those who were instrumental in bringing in the bill, it was not to be inferred, because they intended to dispatch delegates to London, that they, therefore, felt dissatisfaction at the measure.

And, if the parliament were never to pass an act in favour of the liberty of the subject, because some newspaper opposed it, or to come to an amicable understanding with the Roman Catholics, because some individual thought fit to set his *veto* upon a particular measure, it would be in vain to think of ever adjusting those differences. Even if the proceeding excited some local dissatisfaction, still, he contended, they ought to go forward.

A great measure ought not to be abandoned, because the newspapers, or a few individuals, opposed their declamation to that which would produce public concord, and minister to public security. The whole conduct of the Roman Catholics shewed, that their gratitude kept equal pace with the benefits which were conferred on them. There seemed to be a regular principle of action and re-action; and, in proportion as the legislature advanced towards them with feelings of conciliation, they appeared most anxious to afford every facility and accommodation in their power. If they acted on this principle, they would withhold from the Catholic body what they demanded, and to withhold it with justice, they must fasten on them the imputation of discontent as a body; but that could not be done. Their letters all breathed a spirit of conciliation which did them infinite honour, and supplied proof of the security of their friendly resolution. They had met advance with advance, and there was no reason for either party

to recede. He conceived, that the Catholic body had fairly met the disposition manifested by the House to attend to their claims. As it was a general principle in natural philosophy, that reaction was equal to action, so it was found, that as soon as parliament evinced a wish to meet the question, a correspondent wish was manifested by the Catholics to come to an accommodation. On these objections to the bill, which appeared in the public papers, (although he would not allow that they came from the Catholic board,) he should make some observations. They appeared to him to be founded in complete mistake and misapprehension. The first objection was, that the bill did not give the Catholic peer a right to vote at the election of peers. This, however, was a mistake; the bill did grant that right, on the new oath being taken. The act of union already qualified every Irish peer to vote for the peers to sit in parliament, provided that they took the same oaths which must be taken by the sitting peers. The present bill made such an alteration in the oath, as would allow the Catholic peer to take it, and the new oath formed the qualification for the sitting member; and, being taken by the Catholic peers, generally invested them with the right of voting.

It was next asserted, that the bench was not included in the bill. But how could this be supposed, when the bill specifically stated them to be "eligible for all civil offices of trust," with the exceptions stated? The same observation would apply to the objection of the Catholics being excluded by the bill from corporations. They would not be excluded. The Catholics were, by this bill, admitted to all corporate rights. But it was objected, that though their disqualifications might be removed by the provisions of the bill, still they would be excluded in consequence of by-laws. Now, the by-laws alluded to, were those which at present imposed the oaths of supremacy and abjuration, on those who became members of a corporate body. But by the present bill, those oaths were removed, and no corporation could continue them contrary to the law of the land; therefore the bill granted corporate rights and privileges.

It was also contended, that Catholics were, by this bill, excluded from colleges, and prevented from becoming guardians to Protestants. Neither of these assertions were better founded than those which he had already referred to. The bill only excluded them from being on what was called the foundation of Protestant ecclesiastical colleges. In this respect, it was thought proper, that the law should stand as it is at present. Neither would the Catholics remain excluded by the present bill from the power of being guardians to a Protestant; and a recent decision of the Lord Chancellor for Ireland (Lord Manners,)

made it doubtful, whether they could be so excluded as the law now stands. These, he believed, were the principal objections to the bill; but they were not made by the Catholic board; they were objections which arose to the minds of individuals; but he had no hesitation in saying, that they were unfounded. By the bill, the Catholics were admitted, first, to the right of election; second, to corporate rights; third, to franchises; fourth, to the bench; fifth, they were not excluded from colleges; and sixth, they were not prevented from acting as guardians to Protestants. On the whole, it was a bill of incorporation; a bill granting substantial emancipation to the Catholics, and, at the same time, affording ample securities to the Protestant establishment.

Another objection had been made, that the bill did not go upon the general principle of liberty of conscience, and did not comprehend other classes to which the Catholics wished the same extension of civil liberty. In answer to this objection, he should put it to the House, whether the committee would have been justified in framing their bill upon an abstract proposition of this nature. They conceived, that they were bound only to consider the case which the petitioners had stated, and that they were not at liberty, by introducing other matter, to deprive the Catholics of their own case. If they had done so, the committee would not have known how to face the House with a bill upon a principle so different from that which was expected from them. The great object of the bill was, the adjustment of the claims of the Catholics; but the principle and soul of it was their incorporation with Protestants into the general body of the empire. It was for this reason, that the repeal of the penal laws was an object of far inferior importance. The great question was, the repeal of those oaths which now prevented the incorporation. In fact, the committee had abstained from touching much upon the penal laws, as that could have no other effect than to bring forward a great quantity of irritable matter. The repeal of those laws would be doing nothing without repealing the oaths.

It was alleged, that they ought to have introduced a bill, containing a specific repeal of all the penal laws.

In that case, they would have been under the necessity of proceeding by a numerical enumeration of those laws, a mode to which he had many objections. The great object which they had in view, was a conciliatory adjustment of the Catholic claims; and incorporation formed the very soul and essence of that adjustment. The laws which operated to prevent that incorporation, were those that enforced the taking of the oaths. The gentlemen who formed the bill, thought it

better to remove those laws, without specification, by introducing new oaths; and he considered that to be a final adjustment, by which those obnoxious acts, although not mentioned by name, were rendered null and of no effect. If they had pursued a different course, and introduced a numerous detail of the penal laws, they would have been compelled to bring forward matter of a very irritable description. Without removing those test laws, nothing could be done; but by setting them aside, all the other acts were rendered of no avail, and left to be done away by the legislature at any future time. This was the principle which was acted upon, in 1778, in the Irish Parliament. In the bill brought in at that period, a clause was inserted repealing the test act. That bill was sent back from England, that particular clause having been expunged, and they were obliged to pass the act without this provision. In the act of 1793, the Irish Parliament did not state, numerically, the laws which were repealed. They proceeded on the principle now adopted, and administered great constitutional rights to the Roman Catholics. Having thus acted with the best motives and intentions, they hoped for the support of the House.

Having stated that the present bill gave emancipation to the Catholic, he had next to state the securities it gave to the Protestant. Those securities were to be found principally in the exceptions which were to be found in the bill, and in the alteration of the oath. 1. The first was, the exception of the situations of Lord-chancellor of England and Lord-lieutenant of Ireland, which were withheld from Roman Catholics. The office of Lord-chancellor comprised a great deal of ecclesiastical patronage; and the Lord-lieutenant of Ireland was the representative of the king, who must be a Protestant, independent of which circumstance, he possessed very considerable ecclesiastical gifts. 2. The second exception related to the right of holding advowsons, or presenting to livings. Where any Roman Catholic possessed an advowson, Protestant commissions were appointed to superintend its disposal. 3. In the third place, all officers in ecclesiastical courts were excepted. 4. The fourth security is, the exclusion of the Catholics from all ecclesiastical courts of judicature. 5. By the fifth, all courts of appeal, or review of ecclesiastical matters, were likewise excepted. 6. Catholics were also excluded from situations in ecclesiastical schools. 7. They were prevented from any interference in the disposal of Protestant benefices. 8. All Roman Catholics were excluded from any episcopal authority within these realms. 9. The ninth security is, the exclusion of non-resident native Catholics from such ecclesiastical duties and functions. 10. The tenth security consisted of an oath, containing a great variety of clauses. By it, the Catholic swore to his

allegiance, and abjured the supposed regicidal and deposing power of the Pope. It also abjured the temporal power of his holiness in these countries; the infallibility of the Pope, as an article of faith; and the principle, that no faith was to be kept with heretics. By it the Catholic deposed, that he would support the Protestant succession, and the present state of Protestant property; that he would discover all plots and treasons which came within his knowledge; that he would not make use of any power he obtained in the state, either to its injury, or to the overthrow of the Protestant church; and that, in the nomination of any bishop, or apostolic vicar, no man should be chosen, with his consent, of whose loyalty and tranquil disposition, he was not convinced; that the clergy were also to swear that, in the election of persons to be recommended to the apostolic functions, they would never choose any persons whose loyalty and good conduct were not known to them. The oath, also, bound him to hold no intercourse with the See of Rome, which, directly or indirectly, could disturb the Protestant church in England, Ireland, or Scotland; and that his intercourse with that see should be purely of a spiritual nature. He was aware, that some gentlemen would inquire, why the oath was so very long and particular. To this, his answer was, that those who drew up the present bill, found a part of that oath already established. They did not wish to alter a single article of it, as they felt it their duty to increase and not to diminish the securities now existing; therefore, they had made a variety of additions to it, comprising every point which was connected with the safety either of church or state. The present oath was generalised; it was not necessary for a Catholic clergyman to take the former oath, unless some office were conferred upon him; but the oath being generalised, it would now, by law, be necessary for every Roman Catholic in the United Kingdom to take it. They had, therefore, added to the present oath the obligation of disclosing treason, and of not recommending any clergyman whose loyalty was not well known. They had also extended the obligation of the oath. The former oath was only required to be taken on the acceptance of some office; the present oath, however, was proposed to be extended generally to the clergy, as well as to the laity. These, then, were the securities. Whether the House would consider them to be sufficient, he knew not. But great securities they unquestionably were.

A right honourable gentleman, he begged leave to call him his right honourable friend (Mr. Canning,) had suggested some additional clauses. He proposed the appointment, by parliament, of Protestant commissioners, with power to withhold their assent to the nomination of those bishops and apostolic vicars, of whose loyalty they entertained

any doubt; and also with power to inspect the papers and books connected with those nominations, with a proviso that they should be bound not to betray the secrets of the Catholic church. These clauses would amount to a complete security for domestic nomination. His right honourable friend had touched the subject with a delicate hand. *Those appointed to frame the bill had not introduced the clauses into the bill*, not because they disapproved of them, but because they did not know how far the Catholic body might approve of their introduction. For his own part, he thought they were liberal in their nature, and that they ought to be received.

He would now say a very words on the general merits of the bill now before the House. It would, no doubt, undergo some alterations here; but such as it was, it amounted to a plan of perfect domestic security and liberality—a plan, for the accomplishment of which, the greatest statesman of this country had struggled in vain—a plan that, he trusted, at no distant period would be completed. If, however, the motion of the honourable baronet were acquiesced in, and this committee should be appointed, he should not dare to hope to witness the fulfilment, not only of his wishes, not only of the wishes of the majority of this House, but of the wishes of the majority of the nation.—This was a bill of Catholic emancipation, in which were provided three main securities for the Protestants. The first and greatest, was incorporation; the second, a positive bar against domestic Catholic influence; and the third, an effectual provision against foreign Catholic interference. This measure, they submitted, ought to receive the sanction of the legislature; parliament had already pledged itself to concede it. It has already declared, that it was expedient to repeal the laws which deprive a great portion of their countrymen of privileges they ought to enjoy, for the sake of producing general harmony, security, and happiness. Let parliament, then, fulfil the pledge it had given to the nation, without being diverted from its obvious duty, by motions like that to-night proposed. The bill was before it; nor could any solid objections be urged, unless by those who are enemies to Catholic privilege and Protestant security.

24*th May*, 1813.

Sir, I rise to direct the attention of the House to the course of opposition which has this night been taken to the great measure now under discussion, and shall commence with the right honourable gentleman (Mr. Yorke,) who has last spoken in the debate. He has emphatically told you, how futile must be the success (if such should

attend it) of this bill, when it is evident its provisions will never be complied with by the party for whose relief it has been framed. Now, Sir, I say that such a mode of reasoning goes too far, it proves too much, for what is the deduction? why, that there will be no Catholic episcopacy; because, if the clergy do not comply with the provisions of this bill, there can be no episcopacy; it must, in such case, expire; and the very body which the right honourable gentleman holds *in terrorem* before your view, can no longer (upon his own argument) have existence; his fears are, therefore, visionary, and his reasoning groundless. So far for the clerical argument. Now, Sir, towards the admission of Roman Catholics into parliament: here again the argument of the right honourable gentleman is built upon no foundation. Can any man in his senses credit the assertion, that the ingress of the Catholics to this assembly can be productive of the effect described? Is the right honourable gentleman so ignorant of the constitution of this House, as for a moment to believe the principle he has himself laid down? I shall not pay him so poor a compliment as to think he does. Does he, Sir, take it for granted, that this is a Catholic House legislating for a Protestant people? or does he not know that this is a Protestant House legislating for a Catholic people? a Protestant people, a Presbyterian people, a Dissenting people? A House, Sir, making laws for a whole and a divided community; not a particular body enacting for a particular sect. The admission of a few Catholics here left the constitution where it stood. It left it as it found it, a Protestant body. The principle of this bill is incorporation, uniting the jarring differences of many religions. Another argument equally defective, equally erroneous, has been sounded—sounded with acclamation this night; namely, that it is impossible to unite the Catholic with the Protestant; also, that the Catholic himself protests against this measure. This assertion I deny—I repeat, Sir, this denial; let those who cheer, contradict me. I expect nothing from their moderation;—I now challenge them to the proof.

What, Sir, constitutes this impassable abyss of separation between the Catholic and the Protestant? Why, forsooth, the belief of transubstantiation, the invocation of saints, the worship of the Virgin Mary. Oh, limited view of human nature! Oh, preposterous conclusion! No, Sir, it is not those visions which have separated the community; the cause of this separation, such as it is, has arisen from the enactment of your civil penalties, continues only by their operation, and with them only can have extinction and oblivion. A right honourable gentleman (the Speaker,) whose great authority in the House, I willingly admit, has told you that the representatives of

Ireland will, if this clause should pass, be entirely Catholic, that the Catholics will engross the nomination of 100 members in this House. I deny this conclusion wholly; I deny the right honourable gentleman's authority here. Why principally Catholic? It is necessary for the Speaker to prove, that the entire property of Ireland is in Catholic hands. The fact is not so, the great proportion of that property which would be represented, should this bill pass into a law; that great proportion, I assert, is in Protestant hands; and the just conclusion, generally speaking, must be, that a Protestant representation would still emanate from it. Again, I am told, you are about to erect a Catholic ascendancy in parliament. This, like the other arguments, proves, what? the discomfiture of the supporters of exclusion and monopoly; because, to give effect to this argument, you must make forty a greater effective number than six hundred; you must make seven or eight the majority of four hundred. I contend for it, forty Catholics would be the major number which this bill would introduce into one House; seven or eight, the major number it could introduce into the other. Therefore, Sir, this is to be the foundation of a Catholic ascendancy, and this is the argument directed to 658 legislators! This is the principle upon which exclusion is to be pronounced towards millions of people, and here is the argument and the authority upon which we are to arrive at conclusion! Therefore, I repeat, the right honourable gentleman's authority, great as it is in general, is, upon this particular cause, no authority at all. The question is not, whether you will uphold the Protestant establishment, but it is, whether you will endanger its existence, by proscribing your people.—I repeat, again and again, that if you repel Catholic emancipation, you trample to the ground Protestant security.

You addressed us, the framers of this bill; you said, "We will argue the point—produce us your securities in the first instance; we will then produce you our concessions." Here they are; [Mr. Grattan here extended forth the bill] here are our securities:—where are your concessions? How do you meet us? After calling on us for securities, you reject concession, and, by that rejection, refuse the best security for the church, by withholding freedom from the people. If you vote against this clause, you vote against the bill; you nullify your object, you falsify your pledge. The noble lord opposite (Castlereagh) has acted a manly part; let the noble lord share then the merit of the bill. Upon my head be the odium of the clauses: to insure the principle of concession, I shall submit to the minor infringements. The alleged unpopularity of the bill can only be temporary. Should the Catholic mind be indisposed to accept it, should their

leaders inculcate hostility to its clauses, clauses so necessary to carry through its principle; why, then, I shall lament such an occurrence; I shall feel it bitterly; I shall then, indeed, admit, that the Catholics are the bitterest enemies of themselves, and that upon their own heads, and on their own heads only, can the consequences of their own folly rest. [Mr. Grattan here paused for a moment, but resumed his wonted animation.]

Sir, the question is, if you reject this bill, can you dwell upon the restrictions; and, upon your own view of the subject, how do you stand? You vote for the continuation of galling and jarring restrictions upon four millions of your fellow subjects. You vote for the unlimited power of the Pope upon this proscribed population; instead of enfranchising the one, and obliterating the other. [The right honourable gentleman concluded in a strain of eloquence, of which it is impossible to convey but a faint outline.] I beseech you to pause before you vote this night. You stand between two important opinions. The one leads to unanimity in the nation, the other to discord in the community. The one incorporates the Catholic with the Protestant, and limits, nay, extinguishes, the power of the Pope. The other exasperates the feelings of the people, and saps the best securities of the empire. The one lays at your disposal a brave and generous people, to testify on the embattled plain, the allegiance and the gratitude they owe you, and places your country on an iron pedestal, never, never, to be shaken. The other arms you, with what? the Pope and his visions at your back; and, with these banners, to advance against and appal the almost overwhelming enemy of Europe.

CORN LAWS.

23*rd June*, 1815.

Sir, the question before you, complicated, and comprehensive, and doubtful as it appears, may be, notwithstanding, reduced to three plain considerations: whether we can contend with foreigners in the trade of corn; whether we can supply, in that article, our own consumption; and whether we can at all times command a sufficient supply of that article from foreign nations? To the first question, the persons examined by the corn committee have given a flat, positive, and decisive negative. They concur to affirm, that we cannot contend with foreigners in the market of corn, and they support their assertion with evidence, which is incontestible, on the low price of labour

abroad; the tithes, the taxes, the poor rates, the cesses, the high price of labour, and the various charges which attend tillage at home; but this evidence is necessary no longer, the question is decided by the fact: we are at this moment driven out of the corn market; 800,000 quarters of foreign corn have been imported the last half year, so that the farmer may go about his business. In the year 1814, Ireland exported near three millions of corn, the principal part of which came to Great Britain. In 1812, Ireland exported £2,900,000 worth of corn, of which £2,100,000 came to Great Britain. In the last half-year, ending in January, Ireland exported into Britain 300,000 quarters of corn, while the foreigner exported 800,000; so that Ireland is driven out of the market, and foreign nations have taken her place. With this information before you, the question you must try is reduced to this; shall we protect the farmer or go out of tillage? To the last-mentioned monstrous propositon, no pretence can be afforded, except gentlemen on the other side say, that if you do not abandon tillage, you must renounce manufacture; they cannot say this—they have said this. They have said this without an iota of evidence; they have said the contrary also; they have said that (a few articles excepted), you undersold the foreigner, and so saying, they have given up the cause, and the only pretence on which it rested. They have said, that the English manufacturer undersold the foreigner: and that he did not; and saying both, and proving neither, they have left you free to decide, that whatever be the fate of the manufactures, it is not 80*s.* a quarter for corn that will destroy them: the less so, because, under a higher price, the manufactures have increased, and the manufacturers have multiplied; and because the gentlemen themselves propose protecting duties of 74*s.* or 76*s.*, thereby acknowledging the policy of protection, and, therefore, of an adequate protection, and imposing upon themselves the obligation of a proof, that while the less duty is safety, the higher one is destruction; death lies it seems in the difference—at 80*s.* you die, and revive at 76*s.* Having gone so far, I beg to submit, that the opponents of the measure have not produced argument sufficient to authorise you to abandon tillage, by returning to protection. I now come to the second question, namely, whether we can supply corn sufficient for our own consumption. You have done it, you did so in the last century. You did so, till the act of 1765; England alone did so. We have done so lately; the two islands have supplied their own consumption, with all their increased manufacturers, and all their increased population. In 1812, these islands imported £12,000,000 worth of corn, and exported £14,000,000, above £300,000 more than their own consumption; the opposers of this

measure combat this fact, by an average, and say, that on their average we have not supplied our own consumption; their average is fallacious; the cause of that self-supply was Ireland, and her new condition since the act of 1807; but Ireland is a growing country, and her resources are a growing quantity; instead, therefore, of forming a calculation on an average, you should count on an increase. The evidence before the committee tells you, that Ireland must increase in tillage one-third, and it stands uncontroverted. Now, I will tell you how she has grown, and read you the accounts I have taken the last fourteen years. I have divided them into two periods, seven years each. In the first seven years, commencing with 1801, Ireland exported to Great Britain, 4,300,000 quarters of corn, and her growth, or increase in the course of that time was 2,300,000 quarters. In the same period of fourteen years, foreign nations sent to Great Britain, in the first seven years, 6,400,000 quarters of corn, and in the last seven years, 4,200,000 quarters; and there was a decrease of 2,200,000 quarters. Thus, Ireland has doubled her quantity, and foreign nations in the same period have declined one-third; and Ireland was coming into their place as they are now coming into the place of Ireland.

On the progress of Irish husbandry I beg leave to say a few sentences. Lord Pery was the father of Irish agriculture. In the depth and extent of his sagacious and prophetic intellect, he conceived for his country a project, which was nothing less than the creation of tillage. His plan was to bring the market of the capital to the door of every farmer in the remotest part of the island, and he did so by granting an inland bounty on the carriage of corn to Dublin. He found Ireland in the article of corn a country of import; he put in practice his plan; she ceased to import; she began to export; she began to export much; she proceeded to export more; she became a country of great, of growing, and of permanent export. The public care of Mr. Foster, and his vigorous mind, followed Lord Pery, and, by a graduated scale of export, furthered the growth of tillage. Then came my right honourable friend (Sir John Newport), whose presence represses the ardour I feel to dwell on the imperishable honours annexed to his name and his measures. He finished the work, by his bill of unlimited export; and Ireland, who was fed by imported corn in the middle of the last century, has, in the last war, fed herself on a scale of doubled population, supplied Great Britain with above two millions worth of corn, and sent near another million to supply your expeditions, and to feed foreign nations. It is an infirmity in the argument of the gentlemen of the other side of the question, that Ireland should have made no part of their calculation, and that, in contempla-

ting the resources of the British empire, they should have overlooked one-third of the king's dominions. Gentlemen acknowledge the principle of self-supply: they cannot deny it; but they, in substance, retract their concession, and say, you should not make the effort. If the commodity, corn, for instance, is to be rendered dear, they do not say what they call dear, but leave us to suppose that corn must be dear, if corn is protected. Thus their argument goes against all protecting duties, still more against all prohibitions, and going equally against the whole of your policy, goes without force against any part of it. They speak of a surplus; to have what is sufficient for your consumption, you must, at times, have a surplus; and you cannot, they tell you, dispose of that surplus abroad, on account of its high price. Surplus is the effect of plenty, and plenty is the cause of cheapness, and cheapness the surplus; and the proprietor will be remunerated by quantity for what he loses in price. Besides, will you not take into consideration capital, which enables the proprietor to hold on that surplus, nor the increase of population that grows to consume it? Conceiving that the gentlemen on the other side have not given reasons sufficiently strong to induce the House to give up a great maxim of state, and to accede to the extraordinary policy of abandoning those resources which Providence has given these islands to supply their own consumption, I come to the third question, which is, whether you can at all times command a sufficient quantity of corn from foreign nations? The gentlemen on the other side of the question will show (it is incumbent on them to do so), that you can; they will set forth what physical necessity, what moral obligation, what law obliges foreign nations to supply Great Britain with corn; they will show that they must furnish our expeditions, such as that to Portugal for instance; expeditions, perhaps, against the very nations from whom the supply is to proceed; they will show that foreign nations cannot tax, still less prohibit the export of their grain; they will show this, I hope, before they shall induce you to confide your people to their policy; but unable to show this, they are reduced to rest their case on the experiment of the last war. In the last war they say the trial was made, and, notwithstanding all our difficulties, we found a supply from the continent. We did so, we escaped in the last war. In the last war we made an experiment which should teach us never to rely upon foreign grain, for we found the price immense, and but for the Russian war, should have found the corn unattainable. With this experiment, or this experience before you, and this their only argument for the certainty of foreign supply, I hope you will think that the gentlemen have not made a case strong enough to incline you to reduce your

people to a state in which they must depend on foreign nations for their food.

Having gone through the three considerations, I beg to observe, with regard to the opposers of this measure, that they found their policy on a vain philosophy; it is the error of Mr. Smith, refuted by Malthus, and adopted by them, and on this error they found the strength of the empire, and the food of the people; the maxim contended for, is, that you should get corn where you can get it cheapest. Why? Because corn is necessary; so is clothing: however, in Ireland, generally speaking, corn is not so. Yet corn, though a necessary of life, is not the only necessary, but is one of the five necessaries, and therefore ultimately sways, but by no means rules, the price of labour. Smith, a great author, is mistaken, and he is the less an authority (in general I applaud and admire him), but he is the less an authority on this point, because he considers it in the abstract, and has no reference to the political part of the subject, which is the principal part, and which governs the decision; he advises to go to the cheapest market, but omits to consider whether that market be accessible. Again, the application of his rule to the present question goes against the drift of his philosophy; his drift is, that every thing should find its true level, and capital its natural application; but to do this, all nations must agree; for it is impossible that any one without general concurrence can attain it. All nations then must abate their bounties and their prohibitions; that will not be sufficient; they must abate their taxes also. To make the experiment then, you must find some other planet, for the earth will not answer your purpose. But suppose this philosophical traffic practicable, the proposition of its abettors goes, as I have said, in the teeth of its principle; the proposition goes to leave one article unprotected, and to continue on all other articles prohibition; that is to say, to take your capital from corn, which is a natural trade, and apply it to silk, which is an artificial one.

Gentlemen have spoken of the view of the resolution; the view is to encourage the growth of corn; encouragement is plenty, and plenty is cheapness. The view of the manufacturers is cheapness, but they oppose the means of obtaining it, plenty. They advise you, the gentlemen who oppose the resolution advise you, to procure the cheapness of the article by going out of the cultivation of it; but they will find that plenty is the only sure cause of cheapness, and the only certain plenty is the home market; when you diminish that, you diminish your supply. You, of course, raise the price of corn; you are dependant on the supply of foreigners, which supply, without the abundance of the home market, is inadequate, and therefore dear; as is

also a precarious supply, which the foreigner may tax, and which the foreigner may refuse. Thus the policy of the opposers of the measure goes first to ruin the farmer, and then to starve the manufacturer. Gentlemen have said truly, their interests are indeed united, and when the farmer is beggared, the manufacturer is famished. I beg to return to that part of the subject which is comprehended in the denomination of Ireland; you know it was the policy of your ancestors to destroy the manufactures of Ireland, and it was the tendency of the Union to direct her capital to gross produce. Have you then driven Ireland out of manufacture, and do you now propose to drive her out of tillage? You recollect that Ireland has, for ages, excluded the manufactures of other countries, and has given an exclusive preference to yours. Ireland desires, and desires of right, that as she prefers your manufactures, you may prefer her corn. Do you propose that Ireland should prefer the British manufacturer, and that the British manufacturer should prefer the French husbandman? You know that Ireland owes £137,000,000, the principal debt of the war; that the interest is £6,500,000; that her revenue is not £5,500,000, and that her deficit to pay the interest is above a million a-year. Do you mean that she should supply that deficit by giving up her agriculture? You know that of her interest, £4,500,000 is paid to you. How? By her produce. When you propose that she should desert or even diminish her husbandry, you shake your funded security. Again, you are aware, that in rent to absentees, Ireland pays not less than £2,000,000 annually, and pays it out of her produce; when you propose to diminish, when you do not propose to augment that produce, you shake your landed security. Again, in the respective traffic of the two countries, the account stands so: Ireland pays to Great Britain for commodities, at the current price, a large sum; about £4,500,000 for interest; for the rents of absentees £2,000,000; altogether, about £16,000,000 annually; the exportation of Ireland is about £17,000,000, of which £2,900,000 is the export of corn. When you propose to diminish her produce in corn, nay, when you do not propose to increase it, you propose that she should not pay you that balance. Again, are you unapprised that the population of Ireland is not less than 6,000,000, and that a great proportion of that number are people connected with tillage; if you go out of tillage, what will you do with that population? Will you, with the opposers of this measure, consign that people to famine and to tumult, or with the supporters of the measure, hand them over to plenty and to peace? Again, in addition to these reflections, will you consider, that the question before you is not merely a means of subsistence, but a measure of empire;

England clothes Ireland, Ireland feeds England; and both live with one another, and by one another; the two nations are bound together by law; but there is something stronger than law; they are grappled together by the iron fangs of necessity, and not only legally united, but physically identified; and this is the very soul of your connexion. In the relationship of these two countries, mutual want is public concord; that intercourse which makes them physically dependant on one another, makes them physically independent of their enemies, and thus forms the strength of your empire as well as its abundance.

Sir, I am for this resolution; I am for it, because it is decisive, not ambiguous; because 80*s.* is a preference which the farmer will understand; do not send him to your averages; for, while you perplex the farmer with your calculations, the plan is at a stand. Sir, I am for the measure, because it gives strength to your funds, credit to your landed interest, identification to the people of the respective countries, and physical independence on the foreigner. I am for it, because it is an increase of your ways and means; because it promises plenty, where, alone, it can be relied on; namely, in your home market, and, with that plenty, cheapness, but that cheapness which is steady and pays your farmer, while it feeds your manufacturer, instead of that extravagant fluctuation which alternately ruins both; and I am for this measure, because it secures us against the policy suggested by its opponents, and reducible to three monstrous propositions—an abandonment of tillage; a relinquishment of your power to supply your own consumption; and a dependance on foreign markets for bread.

DOWNFAL OF BONAPARTE.

25th May, 1815.

Sir, I sincerely sympathise with the honourable gentleman who spoke last, in his anxiety on this important question; and my solicitude is increased by a knowledge, that I differ in opinion from my oldest political friends. I have further to contend against the additional weight given to the arguments of the noble lord who moved the amendment, by the purity of his mind, the soundness of his judgment, and the elevation of his rank. I agree with my honourable friends in thinking that we ought not to impose a government upon France. I agree with them in deprecating the evil of war; but I deprecate still more

the double evil of a peace without securities, and a war without allies. Sir, I wish it was a question between peace and war; but, unfortunately for the country, very painfully to us, and most injuriously to all ranks of men, peace is not in our option; and the real question is, whether we shall go to war when our allies are assembled, or fight the battle when those allies shall be dissipated?

Sir, the French government is war; it is a stratocracy, elective, aggressive, and predatory; her armies live to fight, and fight to live; their constitution is essentially war, and the object of that war the conquest of Europe. What such a person as Bonaparte at the head of such a constitution will do, you may judge by what he has done; and, first, he took possession of the greater part of Europe; he made his son King of Rome; he made his son-in-law Viceroy of Italy; he made his brother King of Holland; he made his brother-in-law King of Naples; he imprisoned the King of Spain; he banished the Regent of Portugal, and formed his plan to take possession of the Crown of England. England had checked his designs; her trident had stirred up his empire from its foundation; he complained of her tyranny at sea; but it was her power at sea which arrested his tyranny at land—the navy of England saved Europe. Knowing this, he knew the conquest of England became necessary for the accomplishment of the conquest of Europe, and the destruction of her marine necessary for the conquest of England. Accordingly, besides raising an army of 60,000 men for the invasion of England, he applied himself to the destruction of her commerce, the foundation of her naval power. In pursuit of this object, and on his plan of a western empire, he conceived, and in part executed the design of consigning to plunder and destruction the vast regions of Russia; he quits the genial clime of the temperate zone; he bursts through the narrow limits of an immense empire; he abandons comfort and security, and he hurries to the pole, to hazard them all, and with them the companions of his victories, and the fame and fruits of his crimes and his talents, on a speculation of leaving in Europe, throughout the whole of its extent, no one free or independent nation: to oppose this huge conception of mischief and despotism, the great potentate of the north, from his gloomy recesses advances to defend, against the voracity of ambition, and the sterility of his empire. Ambition is omnivorous—it feasts on famine and sheds tons of blood, that it may starve in ice, in order to commit a robbery on desolation. The power of the north, I say, joins another prince, whom Bonaparte had deprived of almost the whole of his authority, the King of Prussia; and then, another potentate, whom Bonaparte had deprived of the principal part of his dominions, the Emperor of

Austria. These three powers, physical causes, final justice, the influence of your victories in Spain and Portugal, and the spirit given to Europe by the achievements and renown of your great commander,* together with the precipitation of his own ambition, combine to accomplish his destruction. Bonaparte is conquered. He who said, "I will be like the Most High;" he who smote the nations with a continual stroke—this short-lived son of the morning, Lucifer—falls, and the earth is at rest; the phantom of royalty passes on to nothing, and the three kings to the gates of Paris; there they stand the late victims of his ambition, and now the disposers of his destiny, and the masters of his empire; without provocation he had gone to their countries with fire and sword; with the greatest provocation they come to his country with life and liberty; they do an act unparalleled in the annals of history, such as nor envy, nor time, nor malice, nor prejudice, nor ingratitude can efface; they give to his subjects liberty, and to himself life and royalty. This is greater than conquest! The present race must confess their virtues, and ages to come must crown their monuments, and place them above heroes and kings in glory everlasting.

When Bonaparte states the conditions of the treaty of Fontainbleau are not performed, he forgets one of them, namely, the condition by which he lives. It is very true there was a mixture of policy and prudence in this measure; but it was a great act of magnanimity notwithstanding, and it is not in Providence to turn such an act to your disadvantage. With respect to the other act, the mercy shown to his people, I have underrated it; the allies did not give liberty to France, they enabled her to give a constitution to herself, a better constitution than that which, with much laboriousness and circumspection, and deliberation, and procrastination, the philosopher fabricated, when the Jacobins trampled down the flimsy work, murdered the vain philosophers, drove out the crazy reformers, and remained masters of the field in the triumph of superior anarchy and confusion; better than that, I say, which the Jacobin destroyed, better than that which he afterwards formed, with some method in his madness, and more madness in his method; with such a horror of power, that in his plan of a constitution, he left out a government, and with so many wheels that everything was in movement, and nothing in concert, so that the machine took fire from its own velocity; in the midst of death and mirth, with images emblematic of the public disorder, goddesses of reason turned fool, and of liberty turned fury; at length the French found

* The Duke of Wellington.

their advantages in adopting the sober and unaffected security of King, Lords, and Commons, on the idea of that form of government which your ancestors procured by their firmness, and maintained by their discretion. The people had attempted to give the French liberty, and failed; the wise men (so her philosophers called themselves) had attempted to give liberty to France, and had failed; it remained for the extraordinary destiny of the French, to receive their free constitution from kings. This constitution Bonaparte has destroyed, together with the treaty of Fontainbleau, and having broken both, desires your confidence; Russia confided, and was deceived; Austria confided, and was deceived. Have we forgotten the treaty of Luneville, and his abominable conduct to the Swiss? Spain and other nations of Europe confided, and all were deceived. During the whole of this time he was charging on England the continuation of the war, while he was, with uniform and universal perfidy, breaking his own treaties of peace, for the purpose of renewing the war, to end it in what was worse than war itself—his conquest of Europe.

But now he repents and will be faithful! he says so, but he says the contrary also: "I protest against the validity of the treaty of Fontainbleau; it was not done with the consent of the people; I protest against everything done in my absence; see my speech to the army and people; see the speech of my council to me." The treaty of Paris was done in his absence; by that treaty were returned the French colonies and prisoners: thus he takes life and empire from the treaty of Fontainbleau, with an original design to set it aside, and he takes prisoners and colonies from the treaty of Paris, which he afterwards sets aside also; and musters an army by a singular fatality, in a great measure composed of troops who owe their enlargement, and of a chief who owes his life to the powers he fights by the resources of France, who owes to those powers her salvation; he gives a reason for this, "Nothing is good which was done without the consent of the people," (having been deposed by that people, and elected by the army in their defiance): with such sentiments, which go not so much against this or that particular treaty as against the principles of affiance, the question is, whether with a view to the security of Europe, you will take the faith of Napoleon, or the army of the allies?

Gentlemen maintain, that we are not equal to the contest; that is to say, confederated Europe cannot fight France single-handed; if that be your opinion you are conquered this moment; you are conquered in spirit: but that is not your opinion, nor was it the opinion of your ancestors; they thought, and I hope transmitted the sentiment as your birth-right, that the armies of these islands could always fight, and

fight with success their own numbers; see now the numbers you are to command; by this treaty you are to have in the field what may be reckoned not less than 600,000 men; besides that stipulated army you have at command, what may be reckoned as much more, I say you and the allies. The Emperor of Austria alone has an army of 500,000 men, of which 120,000 were sent to Italy to oppose Murat, who is now beaten; Austria is not then occupied by Murat; Prussia is not occupied by the Saxon, nor Russia by the Pole, at least not so occupied that they have not ample and redundant forces for this war; you have a general never surpassed, and allies in heart and confidence. See now Bonaparte's muster; he has lost his external dominions, and is reduced from a population of 100,000,000, to a population of 25,000,000; besides, he has lost the power of fascination, for though he may be called the subverted of kings, he has not proved to be the redresser of grievances. Switzerland has not forgotten; all Europe remembers the nature of his reformation, and that the best reform he introduced was worse than the worst government he subverted; as little can Spain or Prussia forget what was worse even than his reformations, the march of his armies. It was not an army, it was a military government in march, like the Roman legions in Rome's worst time, Italica or Rapax, responsible to nothing, nor God, nor man. Thus he has administered a cure to his partizans for any enthusiasm that might have been annexed to his name, and is now reduced to his resources at home; it is at home that he must feed his armies and find his strength, and at home he wants artillery, he wants cavalry; he has no money, he has no credit, he has no title; with respect to his actual numbers they are not ascertained, but it may be collected that they bear no proportion to those of the allies.

But gentlemen presume that the French nation will rise in his favour as soon as we enter their country; we entered their country before and they did not rise in his favour; on the contrary they deposed him; the article of deposition is given at length. It is said we endeavour to impose a government on France; the French armies elect a conqueror for Europe, and our resistance to this conqueror is called imposing a government on France; if we put down this chief we relieve France as well as Europe from a foreign yoke, and this deliverance is called the imposition of a government on France. He—he imposed a government on France; he imposed a foreign yoke on France; he took from the French their property by contribution; he took their children by conscription; he lost her, her empire, and, a thing almost unimaginable, he brought the enemy to the gates of Paris; we, on the contrary, formed a project, as appears from a paper of 1805, which

preserved the integrity of the French empire; the allies, in 1814, not only preserved the integrity of the empire as it stood in 1792, but gave her her liberty, and they now afford her the only chance of redemption. Against these allies, will France now combine, and having received from them her empire as it stood before the war, with additions in consequence of their deposition of Bonaparte; and having gotten back her capital, her colonies, and her prisoners, will she break the treaty to which she owes them; rise up against the allies who gave them; break her oath of allegiance; destroy the constitution she has formed; depose the King she has chosen; rise up against her own deliverance, in support of contribution and conscription, to perpetuate her political damnation under the yoke of a stranger?

Gentlemen say, France has elected him; they have no grounds for so saying: he had been repulsed at Antibes, and he lost thirty men; he landed near Cannes the 1st of March, with 1100. With this force he proceeded to Grasse, Digne, Gap, and on the 7th he entered Grenoble; he there got from the desertion of regiments above 3,000 men, and a park of artillery; with this additional force he proceeded to Lyons; he left Lyons with about 7,000 strong, and entered Paris on the 20th, with all the troops of the line that had been sent to oppose him; the following day he reviewed his troops; and nothing could equal the shouts of the army except the silence of the people: this was, in the strictest sense of the word, a military election. It was an act where the army deposed the civil government; it was the march of a military chief over a conquered people. The nation did not rise to resist Bonaparte or defend Lewis, because the nation could not rise upon the army; her mind as well as her constitution was conquered; in fact, there was no nation; everything was army, and everything was conquest. France had passed through all the degrees of political probation, revolution, counter-revolution, wild democracy, intense despotism, outrageous anarchy, philosophy, vanity, and madness; and now she lay exhausted, for horse, foot, and dragoons, to exercise her power, to appoint her a master; captain or cornet who should put the brand of his name upon her government, calling it his dynasty, and under this stamp of dishonour pass her on to futurity.

Bonaparte, it seems, is to reconcile everything by the gift of a free constitution. He took possession of Holland, he did not give her a free constitution; he took possession of Spain, he did not give her a free constitution; he took possession of Switzerland, whose independence he had guaranteed, he did not give her a free constitution; he took possession of Italy, he did not give her a free constitution; he took possession of France, he did not give her a free constitution; on

the contrary, he destroyed the directorial constitution, he destroyed the consular constitution, and he destroyed the late constitution, formed on the plan of England! But now he is, with the assistance of the Jacobin, to give her liberty; that is, the man who can bear no freedom, unites to form a constitution with a body who can bear no government. In the mean time, while he professes liberty, he exercises despotic power, he annihilates the nobles, he banishes the deputies of the people, and he sequesters the property of the emigrants. "Now he is to give liberty!" I have seen his constitution, as exhibited in the newspaper; there are faults innumerable in the frame of it, and more in the manner of accepting it: it is to be passed by subscription without discussion, the troops are to send deputies, and the army is to preside. There is some cunning, however, in making the subscribers to the constitution renounce the house of Bourbon; they are to give their word for the deposition of the king, and take Napoleon's word for their own liberty; the offer imports nothing which can be relied on, except that he is afraid of the allies. Disperse the alliance, and farewell to the liberty of France, and the safety of Europe.

Under this head of ability to combat Bonaparte, I think we should not despair.

With respect to the justice of the cause, we must observe, Bonaparte has broken the treaty of Fontainbleau; he confesses it; he declares he never considered himself as bound by it. If, then, that treaty is out of the way, he is as he was before it—at war. As Emperor of the French, he has broken the treaty of Paris; that treaty was founded on his abdication; when he proposes to observe the treaty of Paris, he proposes what he cannot do, unless he abdicates.

The proposition that we should not interfere with the government of other nations is true, but true with qualifications; if the government of any other country contains an insurrectionary principle as France did, when she offered to aid the insurrections of her neighbours, your interference is warranted; if the government of another country contains the principle of universal empire, as France did, and promulgated, your interference is justifiable. Gentlemen may call this internal government, but I call this conspiracy; if the government of another country maintains a predatory army, such as Bonaparte's, with a view to hostility and conquest, your interference is just. He may call this internal government, but I call this a preparation for war. No doubt he will accompany this with offers of peace, but such offers of peace are nothing more than one of the arts of war, attended, most assuredly, by charging on you the odium of a long and protracted contest, and with much common place, and many good saws and sayings,

of the miseries of bloodshed, and the savings and good husbandry of peace, and the comforts of a quiet life; but if you listen to this, you will be much deceived; not only deceived, but you will be beaten. Again, if the government of another country covers more ground in Europe, and destroys the balance of power, so as to threaten the independence of other nations, this is a cause of your interference. Such was the principle upon which we acted in the best times; such was the principle of the grand alliance; such the triple alliance; and such the quadruple; and by such principles has Europe not only been regulated but protected. If a foreign government does any of those acts I have mentioned, we have a cause of war; but if a foreign power does all of them; forms a conspiracy for universal empire; keeps up an army for that purpose; employs that army to overturn the balance of power; and attempts the conquest of Europe, attempts do I say? in a great degree achieves it, (for what else was Bonaparte's dominion before the battle of Leipsic?) and then receives an overthrow; owes its deliverance to treaties which give that power its life, and these countries their security, (for what did you get from France but security?) If this power, I say, avails itself of the conditions in the treaties, which give it colonies, prisoners, and deliverance, and breaks those conditions which give you security, and resumes the same situation, which renders this power capable of repeating the same atrocity; has England, or has she not, a right of war?

Having considered the two questions, that of ability, and that of right, and having shown that you are justified on either consideration to go to war, let me now suppose that you treat for peace; first, you will have a peace upon a war establishment, and then a war without your present allies. It is not certain that you will have any of them, but it is certain that you will not have the same combination while Bonaparte increases his power by confirmation of his title, and by further preparation; so that you will have a bad peace and a bad war. Were I disposed to treat for peace, I would not agree to the amendment, because it disperses your allies, and strengthens your enemy, and says to both, we will quit our alliance, to confirm Napoleon on the throne of France, that he may hereafter more advantageously fight us, as he did before, for the throne of England.

Gentlemen set forth the pretensions of Bonaparte; gentlemen say, that he has given liberty to the press; he has given liberty to publication, to be afterwards tried and punished according to the present constitution of France, as a military chief pleases; that is to say, he has given liberty to the French to hang themselves. Gentlemen say, he has in his dominions abolished the slave trade; I am unwilling to

deny him praise for such an act; but if we praise him for giving liberty to the African, let us not assist him in opposing slavery on the European. Gentlemen say, will you make war upon character? but the question is, will you trust a government without one? What will you do if you are conquered, say gentlemen? I answer, the very thing you must do, if you treat; abandon the Low Countries. But the question is, in which case are you most likely to be conquered, with allies or without them? Either you must abandon the Low Countries, or you must preserve them by arms, for Bonaparte will not be withheld by treaty. If you abandon them, you will lose your situation on the globe, and instead of being a medium of communication and commerce between the new world and the old, you will become an anxious station between two fires; the continent of America, rendered hostile by the intrigues of France, and the continent of Europe possessed by her arms. It then remains for you to determine, if you do not abandon the Low Countries, in what way you mean to defend them, alone or with allies.

Gentlemen complain of the allies, and say, they have partitioned such a country, and transferred such a country, and seized on such a country. What! will they quarrel with their ally, who has possessed himself of a part of Saxony, and shake hands with Bonaparte, who proposed to take possession of England? If a prince takes Venice, we are indignant; but if he seizes on a great part of Europe, stands covered with the blood of millions, and the spoils of half mankind, our indignation ceases; vice becomes gigantic, conquers the understanding, and mankind begin by wonder, and conclude by worship. The character of Bonaparte is admirably calculated for this effect; he invests himself with much theatrical grandeur; he is a great actor in the tragedy of his own government; the fire of his genius precipitates on universal empire, certain to destroy his neighbours or himself; better formed to acquire empire than to keep it, he is a hero and a calamity, formed to punish France, and to perplex Europe.

The authority of Mr. Fox has been alluded to; a great authority, and a great man; his name excites tenderness and wonder; to do justice to that immortal person you must not limit your view to this country; his genius was not confined to England, it acted three hundred miles off in breaking the chains of Ireland; it was seen three thousand miles off in communicating freedom to the Americans; it was visible, I know not how far off, in ameliorating the condition of the Indian; it was discernable on the coast of Africa, in accomplishing the abolition of the slave trade. You are to measure the magnitude of his mind by parallels of latitude. His heart was as soft as that of

a woman; his intellect was adamant; his weaknesses were virtues; they protected him against the hard habit of a politician, and assisted nature to make him amiable and interesting. The question discussed by Mr. Fox in 1792, was, whether you would treat with a revolutionary government? The present is, whether you will confirm a military and a hostile one? You will observe, that when Mr. Fox was willing to treat, the French, it was understood, were ready to evacuate the Low Countries. If you confirm the present government, you must expect to lose them. Mr. Fox objected to the idea of driving France upon her resources, lest you should make her a military government. The question now is, whether you will make that military government perpetual? I therefore do not think the theory of Mr. Fox can be quoted against us; and the practice of Mr. Fox tends to establish our proposition, for he treated with Bonaparte and failed. Mr. Fox was tenacious of England, and would never yield an iota of her superiority; but the failure of the attempt to treat was to be found, not in Mr. Fox, but in Bonaparte.

On the French subject, speaking of authority, we cannot forget Mr. Burke. Mr. Burke, the prodigy of nature and acquisition. He read everything, he saw everything, he foresaw everything. His knowledge of history amounted to a power of foretelling; and when he perceived the wild work that was doing in France, that great political physician, intelligent of symptoms, distinguished between the access of fever and the force of health; and what other men conceived to be the vigour of her constitution, he knew to be no more than the paroxysm of her madness, and then, prophet-like, he pronounced the destinies of France, and, in his prophetic fury, admonished nations.

Gentlemen speak of the Bourbon family. I have already said, we should not force the Bourbon upon France; but we owe it to departed (I would rather say to interrupted) greatness, to observe, that the house of Bourbon was not tyrannical; under her, everything, except the administration of the country, was open to animadversion; every subject was open to discussion, philosophical, ecclesiastical, and political, so that learning, and arts, and sciences, made progress. Even England consented to borrow not a little from the temperate meridian of that government. Her court stood controlled by opinion, limited by principles of honour, and softened by the influence of manners: and, on the whole, there was an amenity in the condition of France, which rendered the French an amiable, an enlightened, a gallant, and accomplished race. Over this gallant race you see imposed an oriental despotism. Their present court (Bonaparte's court) has gotten the idiom of the East as well as her constitution; a fantastic and barbaric expres-

sion: an unreality, which leaves in the shade the modesty of truth, and states nothing as it is, and everything as it is not. The attitude is affected, the taste is corrupted, and the intellect perverted. Do you wish to confirm this military tyranny in the heart of Europe? A tyranny founded on the triumph of the army over the principles of civil government, tending to universalize throughout Europe the domination of the sword, and to reduce to paper and parchment, Magna Charta, and all our civil constitutions. An experiment such as no country ever made, and no good country would ever permit; to relax the moral and religious influences; to set heaven and earth adrift from one another, and make God Almighty a tolerated alien in his own creation; an insurrectionary hope to every bad man in the community, and a frightful lesson to profit and power, vested in those who have pandered their allegiance from king to emperor, and now found their pretensions to domination on the merit of breaking their oaths, and deposing their sovereign. Should you do anything so monstrous as to leave your allies in order to confirm such a system; should you forget your name, forget your ancestors, and the inheritance they have left you of morality and renown; should you astonish Europe, by quitting your allies to render immortal such a composition, would not the nations exclaim, "You have very providently watched over our interests, and very generously have you contributed to our service, and do you faulter now? In vain have you stopped in your own person the flying fortunes of Europe; in vain have you taken the eagle of Napoleon, and snatched *invincibility* from his standard, if now, when confederated Europe is ready to march, you take the lead in the desertion, and preach the penitence of Bonaparte and the poverty of England."

As to her poverty; you must not consider the money you spend in your defence, but the fortune you would lose if you were not defended; and further, you must recollect you will pay less to an immediate war, than to a peace with a war establishment, and a war to follow it. Recollect further, that whatever be your resources, they must outlast those of all your enemies; and further, that your empire cannot be saved by a calculation. Besides, your wealth is only a part of your situation. The name you have established, the deeds you have achieved, and the part you have sustained, preclude you from a second place among nations; and when you cease to be the first, you are nothing.

CATHOLIC QUESTION.

21*st May*, 1816.

MR. GRATTAN observed, that his right honourable friend (Mr. Elliot, who presented the English Catholic petition,) had argued this question so justly, so wisely, and with so much honour to himself and his country, that he had really left him very little to say on the subject. He begged to return his best thanks to the House for the extreme patience with which, on various occasions, they had listened to the repetition of his opinions on the Catholic claims. Again he had to entreat their candour, which would again be followed by his gratitude. It had been repeatedly urged in hostility to the claims of the Catholics, that those claims ought to be advanced with more temper, and that a greater attachment ought to be exhibited to the existing institutions of the country. It must be most satisfactory to the House to observe, that the Catholics now grounded their hope of obtaining their liberties, or their rights, or their claims, or by whatever name the concessions to them were to be called, on evincing a disposition not merely to acquiesce, but heartily to concur, not in form only, but in act, in such terms as that House might think necessary for the preservation of the church establishment, and of the Protestant succession to the throne. The known wishes of that House could not indeed fail to make a due impression on their minds; and having considered the whole subject, and the absolute necessity of expressing their attachment, not to the crown only, but to the Protestant succession, the Catholics of Ireland presented a petition, from which he begged leave to read some extracts. [Here he read several passages of the Catholic petition, the tendency of which was to express the anxious wish of the Catholics, that the great measure of emancipation should take place under such circumstances as might render it satisfactory and unobjectionable to all classes of his Majesty's subjects; inasmuch as, in their opinion, the chief benefit to be derived from it, would be the union in the bonds of concord of the various religious persuasions of the empire; and the removal of those jealousies and apprehensions which at present prevented a cordial co-operation for the public good. They also declared it to be their duty to state, that they were ready to submit and conform to any regulations not incompatible with the principles of their religion, or threatening with danger its pure and permanent exercise; and that while they fully relied on the liberality and justice of the legislature, not to impose any conditions inconsistent with their religious persuasions, they were convinced that an adjust-

ment might take place conciliatory to the Protestant mind, and at the same time compatible with the principles of their faith and discipline.] This petition was signed by above nine hundred persons, many of them of the highest rank. [Here the clerk, by desire of Mr. Grattan, read a number of the names, comprehending a large portion of the Irish nobility.]

The House had desired to have certain declarations on the part of the Catholics, and the Catholics had given him a petition to present to the House in which those declarations were explicitly made. The House had exacted certain terms, and with those terms the Catholics had complied. He held in his hand a letter, for the authenticity of which he could vouch, directed by the Pope to be written by Cardinal Litta to Dr. Poynter, touching the conditions with which the legislature of this country wished to accompany any concession to the Catholics. The letter set forth the forms of these oaths, which were very little different from those at present taken by the Catholics of Ireland, and though the oath which was to be taken by the bishop was thought in itself a sufficient security, yet his Holiness did not hesitate to permit those to whom it appertained to make out a list of the candidates for a bishopric, which list was to be presented to the king's ministers, in order that if any one of such candidates were disliked, or suspected, his name may be expunged from it. The letter went further, and said, that as soon as the British government shall promulgate emancipation to the Catholics, his Holiness will send a brief to the Roman Catholic bishops to the above effect, and publish to the universe his grateful sense of the generosity and clemency of the British government, and finally, permit the bishops to observe what was before stated with regard to the oaths and to the mode of elections. Here then, upon the granting of emancipation, was that power given to the crown which had been so frequently demanded as its condition. He had been often, on former occasions, asked what plan did he bring, in order that emancipation should be granted?—What plan could he propose for the security of the Protestant religion, as by law established? In order to be able to answer such question on the present occasion, he had, with a great deal of pains, possessed himself of good information on the subject. He was acquainted, through a most authentic channel, with the sentiments of the Pope on the great question; and the Pope had expressed himself, that if emancipation was now withheld, the fault was not his. He (the Pope) had very fairly said, "Why will the parliament not legislate for the Catholics? I am not indisposed to withhold my assistance." If then he was asked on the present occasion, where are your securities? He

would say, "Here are my terms, they are the terms on which you wished heretofore to grant emancipation, and if you now refuse them, you refuse what you so anxiously sought for, and considered as securities."

He would ask the House how many petitions had been presented to them this session against the claims of the Catholics? He wished to have all, or any, such petitions read. None could be read. None had been presented. What then was the inference? That the great body of the Protestants were not inimical to the claims of their Catholic brethren. He would not go so far as to say, that there were not many Protestants who still opposed Catholic emancipation, but it would not be presuming too much in him to suppose, that where so many petitions had been presented on a former occasion, all or most of which were against emancipation conditionally, and none on the present, there did not exist any general opposition to it in the minds of the Protestants. There then was no general prejudice to contend against on the part of the Protestants, and there was sufficient authority to show that they could legislate in respect of concessions for the Catholics. The Catholic bishops had, in 1799, agreed to certain resolutions, which declared that the concessions which were then, and have been since demanded, were not hostile to the discipline of the church. The Pope himself not only declares that such concessions may be granted, but has actually granted them, provided the Catholics be emancipated. This, then, would be one good effect of the committee for which he intended to move: it would show to some of the Catholics, that those concessions to which they objected were not only not against the discipline of the church, but accordant with its practice. He would not take up the time of the House by mentioning in detail the grievances which at present affected Ireland. They might be classed under a very few heads. She had commercial and financial difficulties; but a great deal of her present misfortunes might be traced to religious animosities. The causes of the other evils of Ireland might be removed with perhaps little difficulty. But it would not be easy to remove many of the evils which arose from religious distinctions, and the effect of the penal code, without a particular investigation. To this inquiry he called the House; by it they would reduce those who made religious differences a pretext for disturbance to a mere banditti, because the removal of that pretext would be the result of the inquiry; and having no foreign power to aid them in their wish for disturbance, they would die from jejunity. If the result of the inquiry which the House might enter into did not satisfy some of the Catholics, it should

be recollected that the duty of the House was to serve, not to satisfy them; and if they succeeded in the former, he trusted they would have firmness and spirit sufficient to act upon that conduct which justice and duty should point out. Most of the evils which at present affected Ireland were not to be attributed to the system pursued by one or another chief governor. He by no means wished to attribute them to such cause. The fault lay in the law, which obliged the government of Ireland to act with a marked partiality to one sect. Until this defect in the law was remedied, it would be impossible for any chief governor of Ireland to act impartially. The fault, then, of the government of Ireland, as far as its government was affected by the operation of the penal code, rested with parliament, who had it in their power to repeal that code. Almost all the evils which affected Ireland, whether they originated in this code or not, were fostered and fomented by it. The United Irishmen had not originated in religious animosities, but their disturbances had, at length, turned into that disordered channel. Thus it ever would be; there was something radically bad in the laws, and as long as it was not remedied, so long would it continue to be the nurse of every evil which arose in the state, whether originating with itself or not. A sore on the finger may, though in itself not very dangerous, be turned to mortality. It was the same in the body politic; small evils may thus become the channels through which great miseries might flow on the state. The honourable gentleman then contended, that it was essential to the security of the empire, that the evils which existed in any part of it should be traced to their source, in order to prevent their spreading, or being the causes of others, as pernicious as themselves. He observed that the societies of Orangemen, which caused so much disaffection between Protestant and Catholic in Ireland, had arisen from the effects of the penal code. Another evil which arose from it was, that the people of Ireland, he meant the Catholic population, were not identified with the law. The advantage of that identification would be to unite all in defence and support of privileges which all equally enjoyed; but this advantage, which was contemplated by the Union, was lost by the continued existence of partial laws, which, while they obliged the Catholic to defend the constitution, gave him little or no share in the privileges of that constitution. It was in vain then to expect, that while such partiality existed, the great body of the Catholics could be identified with the laws. So long as this code of laws remained unrepealed, so long would there exist in the state a large body of men of whom the government must necessarily be afraid, and to overawe whom it would be necessary to support a large standing army.

This was a necessary consequence of the penal code, and not its least obnoxious one, as it tended to draw on a military government. It was true the soldiers so employed may not be badly disposed, but as long as the soldiers in any country exceeded a fair proportion of the population, so long is the liberty of the inhabitants held, not by the law, but by the clemency of the army. He had every respect for the army, he applauded them for their unparalleled victories, and for their strict discipline, but still he could never consent that British subjects should hold their liberties at their pleasure. He did not mean to say, that the support of a large standing army was the intention of the continuance of the penal code, but such was its effects. It was necessary that this army should be kept in order to keep down a proscribed people. It was also necessary that this army should be paid at a vast expense to the country; and for what was all this expense and this risk of a military government incurred? To keep such men as the Duke of Norfolk or the Earl of Fingall out of parliament, lest if they got a seat there they should seek by treasonable conspiracies to overturn the constitution. But why should these, or any other Catholic noblemen, seek to overturn the constitution when they were admitted to a participation of its privileges? Or if they were so disposed, how could they effect it? Would it be by applying to France? No. To Spain? No. We were in peace and amity with those powers. Was it then to the Pope they would apply? Such an idea was ridiculous. The Pope had not the power, nor if he had, was he disposed to exert it. Yet it was for this we were obliged to keep up a large standing army, to prevent a few noblemen from doing that which they would not do, if they could, and could not, if they would. Yet these were the idle fears for which we were called upon to make such sacrifices.

He begged leave to add, that the empire, according to the admission of all parties, was at present in a state of great splendour. We had made great additions to it by conquest, and it required large standing armies to keep those conquests. Why then should we add to the number of our troops, in order to keep a part of our fellow-subjects as aliens in their native country? Such conduct was most absurd and impolitic, and tended greatly to reduce the strength of the empire. Here then was the danger which was to be incurred; and for what? For refusing emancipation on those very terms on which it had been opposed some time back. The opponents of emancipation feared some time back, that by granting that measure they would be granting an influence to a foreign power; that fear was now done away, by the terms which he proposed. The terms would place the Catholic pre-

lates out of the danger of any foreign influence, and sufficiently under the power of the crown, for any security which it could demand. He begged the House to be on their guard against anything like recrimination on the Catholics. It would not be politic to refer back to ancient dates of history, to see what had been done on former occasions by them. It would be sufficient to know, that in 1782 we had made most important concessions to Ireland, which we should not now retract in part, by refusing the benefits of our law to three-fourths of its inhabitants. It had been once said, that Ireland would not receive the English law, when it was pressed upon her. The House should not now act upon a contrary principle, and refuse those benefits to so large a portion of the Irish population, who would receive them with joy and gratitude.

He then moved, "That this House will, early in the next session of parliament, take into its most serious consideration the state of the laws affecting His Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to such final and conciliatory adjustment as may be conducive to the peace and tranquillity of the United Kingdom, to the stability of the Protestant establishment, and to the general concord and satisfaction of all classes of His Majesty's subjects."

9*th May*, 1817.

MR. GRATTAN, previous to submitting his motion to the House, on the subject of the Catholic claims, moved, "That the petition of the Roman Catholics of Ireland, presented on the 15th of May, 1816, be read."

The petition was accordingly read by the clerk.

Mr. GRATTAN then said, Having been applied to by the Roman Catholics of Ireland, to bring their case under the consideration of the House, I shall now proceed to discharge the duty I have undertaken. But, Sir, it is not my intention at present to go into this important question. I shall entreat the indulgence of the House, to hear my sentiments fully by way of reply. Upon a question of this sort, which has been debated in this House so often, it would be monstrous presumption in me, to expect to be heard twice in the course of one night; I shall, therefore, request the indulgence of the House for my reply; and shall now trouble gentlemen but a very few minutes. The resolution I intend to move is, for a committee to take the laws affecting the Roman Catholics into consideration. It is the same motion which was carried in 1813; and does nothing more than pledge the House to examine the penal laws, with a view to relieve the Catholics; to give every security to the Protestant establishment; and ultimately to im-

part satisfaction to all orders of men in the empire. I say ultimate satisfaction; because, in such a question as this, the hope of giving immediate satisfaction to every order of men, is a matter of utter impossibility; and, therefore, the House must legislate to the best of its judgment, with a view to the ultimate satisfaction of one party, and the immediate relief of another.

I have read the report* which my learned and useful friend (Sir J. C. Hippisley) has presented to the House, which has clearly shewn you that, in all the great countries of Europe, there is a civil and military toleration, incorporation, and qualification, for all religious sects; that there is, in nearly every state of Europe, a certain connexion between the clergy and the government, so as to preclude the danger of foreign influence, and that England is almost the only country where such an arrangement has not yet been made. I beg to observe, that there is now every reason to hope, and there is no reason to doubt, but that securities may be had, and such securities as the House will perhaps think desirable. There may be domestic nomination, there may be a *veto*, there may be both! Now you may command your own securities, and therefore, let not gentlemen say, "We cannot accede to Catholic emancipation, because we have no securities." The question is, will you endanger the safety of your own church, in order to exclude the Cathòlics from the constitution? You now have securities, both for church and state, at your command. If you exclude the Catholics, if you keep from them civil and military rights, will you not say, that you will exclude the Protestant church and the Protestant settlement from security? That is to declare, that you will prefer to the securities which your fellow-subjects offer, and which have so often been represented as necessary to the safety of the church and state, a monopoly, the monopoly of power, the monopoly of seats in parliament, the monopoly of civil and military offices. Is it not to say, that you will prefer this power, not to the freedom of your Roman Catholic fellow-subjects, but to the security of the Protestant church? So that it will appear that, having called for securities, in order to justify you in granting liberty, you now refuse them, when offered, and exclude the Catholics, in order to prevent them from participating in that power which they were expected to share. I beg leave to say, that the present question is not about the means by which securities may be effected. I will not debate that point. The question is, whether any securities whatever will be received? Let me tell you why. There is a communication between the Pope and the Catholic clergy,

* Official papers relating to the regulation of the Roman Catholics: printed by order of the House of Commons.

which must end either in incorporation with the See of Rome, or connexion with the government of England, and if the latter be refused, it will be dangerous to the safety of England. You will have the Catholic clergy incorporated with the See of Rome, and the Catholic laity discorporated from the people of England.

I shall go into a committee to move the repeal of the laws that disqualify the Catholics from civil, military, and naval power, subject to such arrangements as may be judged necessary for the safety of the Protestant religion, the act of settlement, and the government of Great Britain; that is to say, subject to such provisions as you will feel necessary for the security of your church and state. That, if you choose to adopt the resolution, you may show to the world, that you have ceased to be the only country in Europe that withheld those rights; but that you are ready to give franchises; and that you are willing to grant a participation in the benefits of your constitution to your Catholic fellow-subjects. This will acquit you with regard to your having a just idea of the principles of liberty, whilst the securities you will receive, will effectually protect your civil and religious privileges. Give to the Catholics all they require, taking care that your church is properly protected. This is the principle on which the question will stand, and the point which you must ultimately concede. With respect to safeguards, I think there is no man, when he procures rights, which he considers inestimable, that ought not to give you those securities, which, while they do not trench on the Catholic church, afford strength and safety to the Protestant religion. I shall now move—

"That this House do resolve itself into a committee of the whole House, to take into its most serious consideration the state of the laws affecting his Majesty's Roman Catholic subjects in Great Britain and Ireland; with a view to such a final and conciliatory adjustment, as may be conducive to the peace and strength of the United Kingdom, to the stability of the Protestant establishment, and the general satisfaction and concord of all classes of his Majesty's subjects."

I beg to say this, that my idea is not, in any degree whatever, to put it out of the power of this House, to insist on full satisfaction relative to the proffered securities, before they proceed to legislate; so that nothing that shall occur in the House, either now, or at any future period, shall be considered operative, unless the House be perfectly satisfied that the securities offered will insure the safety of the Protestant church and state.

On the close of the debate Mr. Grattan spoke as follows:—

I beg to re-state what I said in the beginning, that you can now

command your securities, and in refusing to agree to this motion, you not only reject the emancipation of the Catholic subject, but the security of the Protestant. It is very true, a certain unpopularity may for a while attend one species of security, but I agree with the noble lord (Castlereagh,) you are not to legislate to please, you are to legislate to serve, you are to legislate to save; and then, rely on it, you will ultimately satisfy. If you reject this motion, I repeat it, you reject your security, you oppose the franchises of those of another religion, and the security of your own. The right honourable gentleman (Mr. Peel,) has called our system a Protestant constitution; as justly might he have called it a Protestant empire; he means a constitution to which the Protestants have an exclusive right without the participation of any Catholic member; he will prove that title. I do not find that he has produced any authority, in which that constitution is called Protestant, and if he did, denomination is no title. Still less can he advance prescription; the constitution was the work of Catholics, and the fundamental laws the work of Catholics. The bill of rights, and the declaration of rights, went no further than to *declare* the rights obtained by Catholics. The right honourable gentleman has no right to say, the oath is a fundamental law; the oath was not intended to go against the Catholic religion, but against those who obey the temporal power of the Pope, and such is the explanation by act of parliament. [Here the statute of 33 Geo. III., chap. 44, was read.] Mr. Grattan proceeded and observed, that the preamble ran thus: that the oath was a dogmatic renunciation of religious tenets, instead of an oath of allegiance; that the oath had been enacted to preserve the government against the attempts of those who were supposed to acknowledge the temporal power of the Pope, and not against their religion; that it was accordingly repealed, and the oath of allegiance put in its place. I speak of the repeal of the Scotch oath of 1793. There is another act which declares the oath to be provisional, and if provisional, of course, not fundamental. The Irish act of Union enacts, that the qualifying oath and declaration shall be taken until altered by parliament, and it had in view this very question, namely, the admission of the Catholics into Parliament. Here, then, are these gentlemen declaring the oath to be fundamental, and here are two statutes declaring the contrary; which then will you believe. Gentlemen say, the Catholics are excluded by the fundamental laws of the land from all political situations. The act of parliament says exactly the contrary, "Be it enacted, that persons professing the Catholic religion, may enjoy all places civil and military." Having failed to make out this exclusive title by law, on the contrary, being convicted in the attempt,

by act of parliament, they endeavour to make out a title by inference; they say the king must be Protestant, the lords must be Protestant, and the commons must be Protestant; they are mistaken; the lords are not exclusively Protestant, writs are now sent to Catholic peers; the commons are not exclusively Protestant, the commons are in part Catholic; the constituency of Ireland, and they form no small part of the electors, are in no small proportion, Catholic. Gentlemen make a comparison between the body and the House wherein it acts; the House are not the commons, the commons are those who elect and act by representation; accordingly the king thanks the commons, and impeachments are made in the name of the commons, and survive prorogation or dissolution. I have two objections to their argument; it raises disabilities on inference, which is against a principle of law, and it founds inference upon what is not fact. You cannot take away the prerogative of the crown by inference; you cannot take away the privilege of the people by inference.

They have failed to make out an exclusive title to this constitution, they have produced nothing in the letter of the Revolution, and the spirit is all against them. The Revolution, properly understood, was not a victory of Protestantism over Popery, but of civil and religious liberty over oppression; and the Catholics were excluded from its benefits, because they were ranged in the cause of that oppression. They were excluded *then*, because they were in a state of war; and they are admissible *now*, because they are in a state of allegiance. Gentlemen have said, that the Revolution was a final settlement of religion; no such thing; the penal laws took place a considerable time after, and then their argument is, that this final settlement was open to penalties and shut to benefits. Gentlemen having failed to show that the Protestants have an exclusive title to the benefits of the constitution, or to say more properly, that the constitution is hermetically sealed against Catholics, are reduced to prove that they have a right to exclude the Catholics from political power.

I do not enter into the question of natural right to political power; but I do say that the Catholics have a right to the attributes of law, universality, and equality; and I do further say, that the Catholics have a common-law right to eligibility. The parliament does not give that right, but the parliament takes it away. The common law gives the Catholic the right of eligibility, and the parliament deprives him of it. The parliament may do so; the parliament must, and does regulate that right; so with regard to qualification; so with regard to persons concerned in the collection of the revenue; so with regard to placemen and pensioners. Parliament may take away that right, but

it must be for a good reason, and religion is none—religion is no just excuse for disqualification. Every man has a right to communicate with his God without the interference of the state. The moral atrocity which has been charged upon the Catholic religion, and which is no part of religion, namely, violation of faith and contempt of allegiance, are imputations now too long exploded to be dwelt upon. They are incompatible with any society, and they are inconsistent with the truth of the Christian religion. Such charges are no ground for disqualification; the incompatibility of the seven Romish sacraments with allegiance to the House of Hanover, part of which is recited in the oath, as little can it form a ground of disability; imputed disallegiance can form no ground of disability; and their allegiance, declared in four acts of parliament, 14th, 18th, 22nd, and 43rd of the king—the right of property granted in 1778, the rights of religion in 1782, the right of franchise and of arms granted in 1793, preclude any question regarding disability, on account of disaffection. The inability of the Pope to shake the British empire, and his disposition signified by the letters of Quarantotti and Litta, go still farther to take away any pretence of disability on account of disaffection. But they say the Pope has revived the Jesuits, and this is an argument for attainting the Catholics; they say the Inquisition is revived, and this is a good argument for disqualifying the Duke of Norfolk, and Lord Fingall; they say that the Catholic draft of 1813 was a bad bill, and therefore the act of William, imposing the oath, is a good law; but the question is not whether a particular committee be capable of drawing an act of parliament, but whether the Roman Catholic be incapable of allegiance?

An honourable gentleman (Mr. Webber) dissents, and says, if there was an opportunity, the Catholics would rise. You will observe that this is evidence, not argument, and evidence of an opinion, the ground of which he has not thought proper to establish. If the Catholics be so disposed, which I deny, it must arise from their particular situation by his own account, and not from the Catholic religion; that is, it must arise from nativity, and from the laws; if from nativity, his argument is this, that God has made men in Ireland for rebellion; if from the laws, then why does he defend a system which he acknowledges must produce disaffection? The member refers to history; the history of Ireland is a history of oppression, of a people ill governed, and a government ill obeyed. The historians were, for the most part, partisans, and afraid to speak truth; but do not go back to those periods of your common disgrace; rather go to those periods where you fought together, to those battles where you have conquered. Here a

battalion, here a troop stood for the empire, and then learn this practical knowledge, that,

> "Without a priest his sword the brave man draws,
> And asks no omen but his country's cause."

I beg to observe, that the gentlemen on the other side have established no ground for disqualification; none in religion abstractedly considered; none in the charges of atrocity which they have made against it; none in the supposed incompatibility of the seven Catholic sacraments with the House of Hanover; none in the connexion with the Pope which now ceases, except they please to continue it; none in the charges made against Irish Catholics, and they are refuted by the declaration of parliament, and their acts of allegiance. The disqualification then becomes an act of power, and the arguments that support it, not only irrational, but criminal.

It is a crime to say, you should punish the children for the offence of the father. It is a crime to say, you should punish the many for the offences of the few. It is a crime to say, you would deprive of the benefit of the law a great portion of your countrymen, without a reason. Such reason is not only contrary to justice, but contrary to religion; they do not tell in Christianity. If the arguments be true, the religion cannot be so; they amount to a position, not that the court of Rome but that the religion of Christendom is an abomination. They are not the arguments of statesmen defending a country, but the argument of sectaries defending a monopoly. A sectary is not content with saying, that his own religion is the best, but that all other religions are bad; he takes from the Deity his attributes, and gives him his own, his pride, his passion, his love of plunder, and his love of power. When the sectary says, exclude him from the constitution, he means, "give me the monopoly of power." When the divine says, exclude him from the constitution, he means, "give me the monopoly of wealth." In both, it is the rank sweat of earth, and a spiritual call in neither. I wish well to the Established church, and would give it everything but the liberties of the people.

An honourable gentleman (Mr. Leslie Foster) has said, that this is a case of defence, that we are only protecting our constitution and religion, that the proposed measure would only produce a revolution in both countries; a gentleman says this, endowed with much information and ability. The Protestant establishment, the Protestant church, are great names certainly; but in order to make them anything more than a mere outcry on the present occasion, it is necessary to show they are in danger. Seven or eight noblemen would come

into the House of Peers, and perhaps ten or twenty members into the House of Commons; is this a revolution? or would this justify you in disqualifying a great portion of your fellow-subjects? It is then necessary to prophesy, and gentlemen say this would become a majority in Ireland, then a majority in England, and bear down the House of Peers, and finally depose the king. I say no; and for the reason they give; because the majority they say will draw the power; and the majority in the British empire is Protestant. But I gravely ask you, will you on the strength of prophecy, and such a prophecy, disqualify your people. Mr. Fox had observed, that if men had an interest in it, they would deny a mathematical as well as a moral truth; here it has happened; minority is majority, and nothing is, but what is not. Such has been the danger which gentlemen apprehend to the constitution. Now let us see the safety which they administer; and, first, they reject the security, and, instead of security, they suffer an unrestrained intercourse between the church of Rome and the Irish clergy; so that there may be a complete incorporation with the See of Rome, accompanied with a complete disincorporation of the people from the constitution of England, to be accompanied with a tax on both countries, and chiefly on England, in order to guard the penal system in Ireland against the people.

Penal system! do I say? What! are you not yet a people? Have you been for so many centuries with the powers of revenue, of government, of legislation, and are you not yet a people? And have you incurred a debt of £25,000,000, as it existed before the Union, telling nothing in empire, and only spinning on your own axis, and do you now seek to continue a system, which has thus kept you divided, and support it with barracks and forces, and inflict pains and penalties on your people? "It is true we have prayed for you, much; we have drank for you, much; and now all we want is everything you have to give, at the expense of the strength of the empire."

This is not the state of Ireland, but it is their idea of her safety; fortunately for the empire, she has acted upon a very different principle. She has acted as a nation, not as a settlement; she has contributed to restore the empire, by rejecting a system those mistaken men would impose upon her; a system impolitic, immoral, and unchristian; no state can be formed on it, no morality can be reconciled to it, Christianity protests with all her charities against it; it stabs the dearest interests of men, and aggravates the crime by assuming to act in the name of the Almighty.

3rd May, 1819.

Mr. Grattan presented eight Roman Catholic, and five Protestant petitions in favour of the Roman Catholic claims; he then rose and said—

I beg leave, Sir, in presenting these petitions, to express my most ardent hope, that they may ultimately succeed, and that in their success they may give strength to the Protestant church, to the act of settlement, and to the Protestant succession to the crown; and that they may form an identification of the people, so as to preserve tranquillity at home, and security and respectability abroad, while the two religions under the roof of one and the same empire, may exercise their respective privileges with the same God, the same Gospel, and the same Redeemer, with different sacraments, but the same results; and in their different notes, with all the variety of nature, but with its concord and harmony also, offer up their prayers to their common Creator.

It is submitted that the Roman Catholic combination of Europe has ceased; that the race of the Pretender is extinct; that the dangerous power of the Pope is no more; and that the imputed attachments are not only gone, but the objects to which there could be any such attachment are annihilated.

The Roman Catholics claim a common-law right of eligibility, subject certainly to the control of parliament; they formerly sat in parliament, and held offices, as you now sit in parliament by virtue of that right; should you repeal the disabling statutes, you do not give, you only restore; should you please to continue the penal statutes, it is a sentence where you are to prove their delinquency, before you call upon them to establish their innocence.

There is no doubt that parliament has a right to disqualify; the safety of parliament depends on it; you have done so in the best of times; you have disqualified placemen, and pensioners of certain descriptions; you have disqualified revenue officers, and you have ascertained the qualification of members of parliament, with a view to secure its independency; but there is one privilege which you cannot affect—you cannot disqualify on account of religion; the subject worships his God in defiance of his fellow-creature; it is the prerogative of God, as well as the privilege of the subject. The king, who would interfere, puts himself in the place of his Maker, and attempts to jostle the Almighty from his throne; he has no credentials from God, and he can have none from man; all the kings of the earth, and all their artillery, horse, and foot, and dragoons cannot, in the mind of the

meanest individual, establish a conviction of any proposition, moral, religious, or mathematical. Indeed, you are too enlightened to doubt this; and therefore it is said, we do not exclude the Roman Catholics on account of their religion, but that we consider what they call their religion to be evidence of tenets and affections which do not belong to religion, and which amount to a disregard of the obligation of an oath and the duty of allegiance. Let us suppose Sir George Jerningham tried on that charge, and that the arguments tendered in evidence were, the proceedings of the council of Lateran, the revival of the Jesuits, the restoration of the Inquisition, Gandolphy's pamphlet, his reception by the Pope, and the politeness of the Pope's chamberlain: the judge who should suffer such evidence to go to a jury would be impeached, and the jury, who found on such evidence, would be attainted. Suppose the counsel on the side of the defence should tender in evidence the divers oaths which the Protestants had prescribed, and which the Roman Catholics had taken; the answers of the six universities against the imputed slander, the list of the killed and wounded, the battles won with Catholic blood; and, in answer to the objection arising from the appointment of a Roman Catholic prelate by the Pope, he should say, that this was the only part of the question which, by any pretence, came within your jurisdiction; but that objection was answered by the Pope's own letters, containing an offer of the veto, and that you, in refusing that offer, rejected the security of the church, when it came accompanied with the liberty of the people; such a tender by the counsel, the judge would observe to be unnecessary, inasmuch as the other side had made out no case.

Here then I beg to observe on this part of the subject, first, that the Roman Catholics had a common-law right to eligibility; secondly, that the parliament had, in justice, no right to require them to abjure their religion; thirdly, that the Roman Catholic religion is no evidence of perfidy or treason; fourthly, that you reject the Roman Catholics for what they have abjured, and you further require them to abjure that which does not belong to the cognizance of the civil magistrate, namely, the articles of their religion; and, in so doing, you commit that for which a judge would be impeached, and a jury might be attainted.

In continuing the disqualification of the Roman Catholics, we not only deprive them of the common-law right of eligibility, but we affect the foundation of our own faith, and disobey the prime order of natural and revealed religion: when we say, the Roman Catholic is affected with circumstances idolatrous, and incapable of moral obligation or political allegiance, we say the Roman Catholic religion is not divine;

saying that, we affirm that Christianity does not extend to France, to Italy, to Spain, and a great part of Germany; saying that, we say that Christianity has made no way, and of course deprive it of one great proof of its divinity; saying that, we say that the Pope has foiled his Maker, that a man proves too strong for Almighty power, save where a few nations have rescued the wreck of his omnipotence from general discomfiture. The Atheist hears all this; goes along with each sect, while it attacks the other, and, instead of stopping short at Protestantism, proceeds to infidelity.

I say, we affect the foundation of our faith, and disobey a prime order of natural and revealed religion, which is to love one another. In no other way can you serve your Maker; prayer is adoration, not service; by serving one another, you become a part of his creation, and an auxiliary member of his system; for this, the Redeemer came among you; he came supported by miracle, prophecy, and the internal evidence of transcendant morals, to ordain two great truths—the love of God, and the love of man; the love of man was not only the order, but the object of his coming. You answer, you do not obey; that your fellow-Christians are in general idolaters, and the object, for the most part, of moral disapprobation. God then has left mankind so imperfect, as to make his own commands impossible; and accordingly we disqualify a great portion of our fellow-citizens, and denounce a great proportion of our fellow-Christians, and disobey our Gospel; except you can prove that the Gospel does not comprehend those who believe in seven sacraments, or that its blessings are to be confined to alms, and that the greater part of our fellow-Christians are objects of our charity, not of our benevolence.

You answer this, by charges against the Roman Catholics. I have stated those charges to be unfounded; you yourselves do not believe them; you did not believe those charges in the 17th of the King, when you declared the Roman Catholics to be good and loyal subjects; you did not believe those charges when you gave them the right of bearing arms; you did not believe those charges when you gave them, in Ireland, the elective franchise; you did not believe those charges when you gave them the army and navy; you did not believe those charges when you restored the Popedom; you carried the Pope on your back, the great infallible, whom you supposed would command the allegiance of your fellow-subjects, but whom you found a feeble potentate, who could not command a Roman Catholic musket in the region of Popery; strapped to the war-horse of a great captain; violated in his own dominions; and whom the Roman Catholic nations had suffered to be deposed, until the great Protestant power restored

him. I say, did you restore the mass in Italy, in order to punish your fellow-subjects for Popery? No; but you saw the danger came from another quarter; you saw that Christianity of every sort was comparatively safe, but that infidelity of every description was dangerous. You did not believe these charges when you helped to restore the house of Bourbon, and with them to give new strength to the Roman Catholic religion in France. France had claimed to walk with reason, and despised to walk with God, and she stumbled; you saw that the cold acknowledgment of a first cause would ill supply the place of the living God and the glowing devotion; you saw that a Roman Catholic church establishment was a better guide than a rueful philosophy, and that Christianity, with seven sacraments, was better than infidelity; peace had lost the sweets of affiance, and war the properties of honour, and the reign of the philosopher was a proof of the necessity of religion. Accordingly, you waited for its revival—the revival of the Roman Catholic religion, as a means of faith, and a bond of treaty; and as you endeavoured to restore the principles of order, without disputing the particular government, so you endeavoured to revive the elements of Christianity, without disputing the particular religion; and in so doing, you introduced in Europe a political conformity on the subject of religion: you cut off the hostile appeal to Roman Catholic princes; and, accordingly, the different kings, Protestant and Roman Catholic, have united, by the bond of Christian fraternity, to support the Christian religion. You have changed the ecclesiastical position of Europe: the two religions, Protestant and Roman Catholic, had been in a state of mutual hostility, they are now in a state of mutual defence, each preferring its own establishment, but both concurring to defend the principle of government against the anarchist who should depose the King, and the principles of Christianity against the infidel, who would depose the Almighty; but you cannot limit the benefit of these principles to foreign powers; a conformity of religion abroad must be in substance a comprehension of religion at home; you cannot set up the Pope in Italy, and punish Popery in England; you cannot favour the religion of kings, and punish the same religion in subjects; that were to declare, that religion was an artifice of state to protect power and abridge liberty.

But it is said, if you emancipate the Roman Catholics, their clergy will overturn the government, they will use their influence with their laity, and their laity will use their new power, and forfeit their lives in the vain attempt to give domination to their church; they rest this argument on a position which is fundamentally erroneous; it supposes that man struggles for the domination of his

church establishment by nature; man is not attached to church establishment by nature. Church establishment is a creature of art, and a question of politics, not a work of nature. The argument goes farther, and says that men would prefer the domination of their church establishment to all considerations, moral or political; that is to say, that all men are by nature fanatics. It is true the Deity is a natural impression, but the bishop is not the Almighty; the Deity has come amongst us with the Gospel in his hand, and the Gospel contains a morality in the face of those ungrateful and rebellious proceedings here apprehended: the moral of the Gospel is common to the Roman Catholics, and in this case the argument then would be, that the Roman Catholics would rise against their God, against their Gospel, and against their king, to rebel with their clergy. This argument is not only not according to human nature, but the reverse; it supposes Dr. Poynter, an excellent subject, will, upon the emancipation of his flock, say to the Duke of Norfolk, "Your grace is now possessed of the privileges of the constitution, you will now of course try to subvert the government;" that is to say, lose your head by a fruitless effort to get me made Archbbishop of Canterbury: it supposes that Lord Shrewsbury, Lord Fingall, Lord Clifford, excellent subjects when deprived of their privileges; on their emancipation, to precipitate on treason. With them the moral elements are reversed! kindness revolts! injuries reconcile. Strange men! such as human nature never created; you hug your thraldom; you rebel against your privileges, and you fall in love with death, when it is to be administered by the hands of the common hangman. This argument arrives at last to the monstrous palliation of two crimes; rebellion of the Roman Catholics for the ambition of their church, and pains and penalties imposed on the Roman Catholics for the exercise of their religion; and the Gospel, instead of being a system of charity, becomes a scale of ferocity.

The argument I combat, not only goes against the nature of man, but against the drift of the age. The question is not now, which church? but whether any?—Church or no church—God or no God? When you attack the religion of Europe you attack the religion of England. When you attack Dr. Troy, you attack the Archbishop of Canterbury. In vain shall Oxford come forth and say, we never meant this; we only disapprove of auricular confession; we abhorred extreme unction; we petitioned against extending to the Roman Catholics the full benefits of the constitution; the infidel or the sectary, who will succeed the church of Rome, will answer, "You swore the religion of Europe was a humbug, (to use their low expression), and taught us to suspect your own; you argued that the hierarchy of Eu-

rope would overturn the governments that restrained its ambition, and thus you swore so stoutly, and argued so well, that you have conquered your own religion. There is a great similitude; you send for the clergy when you are sick; you send for the clergy when you are dying; your sacrament is more than a commemoration, though less than a transubstantiation. There are shades of difference, it is true; but if their hierarchy be so abominable, yours cannot be pure, and in your common downfal, you will learn your similitude." I speak of the tendency of their argument, I do not speak of the conduct of our church: upon the whole, on this question, I think the church appears to be placable.

I love the mild government of the church of England; it is a home for piety; it is a cradle for science; so that by an early alliance with divinity, you guard the Majesty of heaven against the rebellion of wit. Those who would send back the clergy to the hair garment, and the naked foot, would be the first to deride. I like the arched roof, the cathedral state, the human voice, and all the powers of evangelic harmony; they give a soul to our duty, and sway the senses on the side of salvation. The wisest men we know of, Locke and Newton, were Christians and Protestants; it is the minor genius that mutinies against the Gospel. He affords to the universe one glance, and has not patience for the second; but I should think I provided ill for the security of our church, by the destruction of others.

The objection which alleges the growth of demand, naturally connects itself with this part of the subject. If the Roman Catholics get a share in the state, they will demand a share in the church, that is to say, they will desire to become Protestant clergymen. The law may make a Catholic a member of parliament, but cannot make him a Protestant clergyman; there the nature of things interposes limits; but if they mean that he will desire a church establishment of his own, they are mistaken; it is what the Protestants in general wish to give him, and the Roman Catholic declines; he declines, because he does not feel that impulse, charged on nature, in favour of a church ascendancy; because they wish to have their pastors a little nearer to themselves, and less connected with the court, the progress of demand does not arise from the unreasonableness of the Catholics, but from the nature of things. In the time of the Pretender there was a general disability; at the death of the Pretender some of the penal political provisions were by law to cease:—when the Emperor Joseph repealed the principal provisions against the Protestant, you naturally proposed a corresponding repeal:—when the French made great changes in their religion, and their country ceased to be a champion of Popery,

a further repeal took place; and now, when you have established a political conformity abroad, a political comprehension at home naturally presents itself; it is not the growth of demand, but the ceasing of the hostile circumstances which were incident, but not essential to the Roman Catholic religion. There was a time, perhaps, when less could be said for the repeal of the penal code, and the time has now arrived, when nothing can be said for its continuance. Your error is, that the circumstances that belong to the times, you annex to the sacraments of their religion.

And now I must add another objection interposed in the way of Roman Catholic emancipation, and that is, a denomination not less respectable than the Revolution; a great event, but a human transaction, and the arrangement of man; but what is here claimed, is the dispensation of the Almighty. The Revolution does not repeal the New Testament; the Revolution, properly understood, is the victory of civil and religious liberty, not over a sect, but over a tyranny. When the Roman Catholics cease to support that tyranny, they are entitled to the benefits of the Revolution. It is said, that the oath and declaration framed at the Revolution were intended to be final,—parliament says otherwise; the House of Lords, in its resolution of 1705, says otherwise; in the act of the Scotch Union, it declares that the oath and declaration were not to be final. Again parliament in the act of the Irish Union declares, that this oath and declaration were not to be final. You will observe that the declaration is conventional; in order to obtain the approbation of the Roman Catholics in favour of the Union, they were informed by parliament that their exclusion was not final; so that instead of a covenant amongst the Protestants against the Roman Catholics for their final exclusion, there is a covenant of the Protestants, with the Roman Catholics, against their final exclusion; the argument is nothing less than a proposal to break that covenant. I have understated the force of the Roman Catholic case on this part of the argument; the oath and declaration were not only not intended to be a final exclusion of the Roman Catholic, but did not purpose to exclude the Roman Catholics generally, but directed its rigour against such as refused to abjure the temporal power of the Pope: such is the act of 1793. Now this description does not comprehend the present race of Roman Catholics, and therefore they do not come within the meaning of the exclusion: such is the act of 1793. It contains three principles: it condemns the oath and declaration; it repeals the oath and declaration, in the instance of Scotland; and it declares that Roman Catholics in general did not come within the rigour of the act of exclusion. Gentlemen talk of a Protestant consti-

tution; it seems they prescribe for a Protestant constitution; what! for a constitution in favour of the Protestants before the existence of the Protestant religion? Baptism is no title; you may call your son George Brunswick, but that does not give him the crown; the component parts of the constitution are not exclusively Protestant, the peers are not exclusively Protestant, the commons are not exclusively Protestant, the Irish electors are not exclusively Protestant, and yet they are a part of the commons. You are not to confound the third estate with the house in which that third estate is represented, or to suppose that the commons are only the representatives, and not the electors: but Protestant constitution is a good name, and excites the feelings without any meaning annexed; so they answer the Gospel; their evangelical duty is stated, it is said the Gospel ordains that you should love your enemies; they reply, the battle of the Boyne; the Revolution of 1688; and the glorious memory of King William. Thus they answer the Gospel by toasts, which tickle the brain without reaching the understanding, and produce intoxication instead of conviction.

They speak of Ireland; it is a common case of colonization, except where your policy made it peculiar; you made an exclusive system, and prevented your own amalgamation. When they say the Irish are disaffected, I deny it; but if they are, who made them so? not their five additional sacraments; it must have been then their oppression: you acquit oppression, and convict their religion; and bearing false witness against the people, their detractors desire two things, to get a monopoly of all the good things in this life, and in the next glory everlasting.

They have been at this work for ages; they have gotten the land, established our religion, and disqualified the majority; we have given them good reason for so doing, by assuring them of the idolatry of their faith, the treason of their politics, and the perfidy of their religion; and unable to reconcile a perverse generation, we desire barracks and an army. This is the account men give of the result of their politics in Ireland, and in this account they do justice neither to the Roman Catholics nor to themselves. The Protestants in Ireland are not tyrants, the Roman Catholics are not rebels, and the Protestants and Roman Catholics together form a fine race of men. The Protestants have, in many instances, saved to the Catholics their inheritance, and, in general, respected their persons. The Irish heart, better than the law, rescued humanity from the barbarity of the statute. Make it a point of spirit, and the Irish will yield nothing; refer it to his heart, and he has the softness of a woman:—even the most

violent have frequently acted with the milk of a Christian, though they have argued with the fury of an idiot. The Protestants have petitioned in great numbers, and in great respectability; it is impossible not to take notice of the good conduct of the chief magistrate of Dublin, the Lord Mayor,* who acted with temper, firmness, and liberality; also of the good conduct of the government, and the chief-secretary,† who I now see on the opposite bench, and whom I hope long to see in the situation that he holds.

The petitioners against the Roman Catholics, (many of them I know—many of them I personally regard;) I would ask them, do they really think their fellow-subjects should be excluded on account of extreme unction? Certainly not. For transubstantiation? Certainly not. And yet their application, if strictly taken, would, and for no better reason, deprive them of their civil rights for ever: it would go, as far as concerns two-thirds of their fellow-citizens, to a perpetual repeal of the Gospel. The standard of constitution which they frame, would be at least as fatal to themselves as to the Roman Catholics; for it is the Revolution of 1688, in which their country was deprived of both trade and the exclusive power of her own parliament; and it was not till one hundred years after when Ireland recovered her trade and her liberty. They will observe also, that there was no law against the admission of Roman Catholics into the Irish Parliament at the time of the Revolution, nor did any law take place till near one hundred years after; they have then chosen a period as the standard of their rights, when the Roman Catholics were not excluded from seats in parliament by law, and when the whole country was deprived of trade and liberty by power.

But it is said, an arrangement is impossible. To take away privilege, it seems, then, is easy; but to restore, to retrace the diabolical course, there is the difficulty. Not the ability and sound judgment of Mr. Ponsonby were adequate (I will name the committee), not the modest truth of Mr. Elliot's intellect, not the refining genius of Mr. Windham, not the strenuous capacity of Mr. Whitbread, nor the all-enlightened perfection of Sir Samuel Romilly's understanding. These men were of the committee to frame the bill, they are now great authorities to support it; authorities canonised by death; but I do not despair; my right honourable friend‡ still lives; the trusty constitutional hand that drew that bill§ still lives; the noble lord‖, his

* Alderman M'Kenny.
† Mr. Charles Grant.
‡ Mr. Tierney.
§ Sir Arthur Pigott.
‖ Lord Castlereagh.

enemies must allow him abilities, he lives; the luminary* by his side, he lives; and the good ameliorator of the lot of Africa, he lives.† What then is the tremendous obstacle, to overcome which we boast our incapacity? It is a declaration that the majority of Christians are idolaters; that our good ally, the Emperor of Austria, is an idolater; that our good ally, the Emperor of Russia, is an idolater; that our good ally, the King of France, is an idolater; that the King of Portugal, for whom we have been fighting so brilliantly, is an idolater; —saying this, we announce that we have crowned idolatry in Italy; that we have given idolatry new vigour in France; and have planted idolatry in Canada. This declaration is one obstacle, the oath of supremacy the other: the latter means to abjure any foreign power of any kind, coactive, coercive, or compulsory; affecting any power to be enforced by temporal means, any power which is more than conscientious, any jurisdiction of what sort soever in this realm. The Roman Catholic might take that oath properly explained; will you try him? Would you explain that oath so as to give the crown the benefit of what is called his complete allegiance? There are two oaths then in the way of his emancipation; the one, the oath of supremacy, which, if properly explained, the Roman Catholic would take; the other, the declaration, which every Protestant should wish to repeal: to repeal the one, and to explain the other, with such circumstances and accompaniments as may be held to be necessary, are motions that will be submitted to the committee; refusing them, you will have refused your own security.

It is further argued, that all this will not satisfy; that is to say, to obey the word of God, commanding us to love one another, will not satisfy; as far as any thing is personal to the Almighty, they are ready; but further they beg to decline, and they make a compromise with their Maker; they praise God, and damn one another. When gentlemen have said that the bill of a former year gave universal dissatisfaction, they go farther than they are warranted; the laity did not give any general expression of dissatisfaction; some Catholic bishops certainly did, but they had before expressed their satisfaction, and approved of the bill; and you will observe, when the Pope objects to the *Regium Exequatur*, he shows that you may take it if you please, as other princes have done, and he cannot help it.

Gentlemen object that the bill gave everything; how then could it give general dissatisfaction? Certainly not on account of the two exceptions in it, the seals and the Lord-lieutenancy, for they are the

* Mr. Canning. † Mr. Wilberforce.

patrons of Protestant livings. Now to tell a Roman Catholic that he cannot be trusted with an office, is to tell him he is a bad subject; but to tell him he cannot be a Protestant patron, is only to tell him he is a Roman Catholic.

There are those who disapprove of the veto and detest emancipation; if you wait until you can reconcile these, you will wait for ever; because you cannot satisfy all, you will satisfy none. Recollect that the question here, is not merely a question of public satisfaction, but a question of public service; and not only a question of public service, but a question of religious duty; and then the argument is, you must take the pleasure of the crowd, before you obey the Almighty. When I say the crowd, I mean a crowd of sectaries. When we consider obedience to a human law, we ask, is it on the roll? But when we consider the law of God, we ask, is it convenient? How will it please the prince? How will it answer our interest in the corporation? How will it serve us on our elections? We try the wisdom of God by the folly of man, as we did his person; and decide against both by a presumption, which is blasphemous.

Gentlemen call this a question of empire; the Gospel is not a question of empire; it is the highest possible command pronounced by infinite power; it is the highest imaginable interest pronounced by infinite wisdom; as the empire swerves from it, she falters; as she stands by it, she prospers.

The objection that the Irish are below the privileges that emancipation would confer, I scorn to answer. You should answer it; for that argument would say that you had governed the Irish so ill, as to have put them below the blessings of a free constitution. They want bread, it is said, and not liberty; and then you leave them without bread and without liberty; and here your conduct is as inconsistent as your assertion is unwarrantable. You give the elective franchise to the people so described, and you refuse the representative to those who are not pretended to come within that description. The objection that the Roman Catholics do not love liberty I despise equally. What! in these walls to say so! in these walls that have witnessed their confirmation of Magna Charta thirty times, and in this city, whose tower guards that great sacred instrument of liberty. There are now extant of those who trace themselves to the signature of the charter, three families; they are Roman Catholics, they are petitioners, and they desire to share that liberty which their ancestors gave to the people of England. It is said the Roman Catholics do not take the oath of supremacy, and their allegiance is imperfect; make it perfect then, and explain the oath of supremacy as I have already mentioned, and

then the Roman Catholics will take it. Their allegiance is as perfect now as it was before the Reformation, and then it was found sufficient. Their allegiance is as perfect as that of Austria; that of France; or that of any country that acknowledges the spiritual power of the Pope; that is, of all Catholic countries. The people of these countries afford a conditional allegiance, allegiance for protection; and yet their allegiance is found sufficient. The Presbyterians do not acknowledge the king to be the head of the church, and yet their allegiance is found to be sufficient. The Roman Catholics are said to carry their allegiance too far, and instead of a perfect to render to the king an abject allegiance. We prefer contradictory charges against them; the one would suppose them to be rebels, and the other to be slaves: the Roman Catholics are neither. We owe an allegiance to God, which is perfectly consistent with our allegiance to the state; and an allegiance to our free constitution, which is perfectly consistent with our allegiance to the king. Do you think that our allegiance would be more perfect if we thought the king a great doctor of divinity; or, like Henry VIII., a tyrant, who could change our religion without understanding it? When they desire allegiance to the king without a rival, they would strike constitution out of our state, and God out of our religion.

It is said, the Protestant church in Ireland is established by the articles of the Union, therefore the Roman Catholics are to be disqualified. Will they, by that, insinuate that the Protestant church sold the country at the time of the Union? The authors of the Union were of a different opinion, and told us that the Catholic emancipation was to be the result of that measure. On what ground do gentlemen, then, place the faith of the ministers of that day? They make them hold out to the people the hopes of emancipation, and at the very moment bring in an article which makes that measure impossible. There is no such article.

Upon what ground do they place the Protestant church by that argument? They make its establishment incompatible with the civil rights of the people, who pay that church; they do more, they make it incompatible with its own Gospel; and the rock on which they rest it, is hostility to Christian charity and popular liberty. It is said, when we urge the fewness of their numbers to come into parliament, that we allow their unfitness to be in that place. No; it is a question of proportion: you would not have the members all English, all Irish, or all Scotch, but a proportion of each, representing their respective interests. It is objected that the Roman Catholic prelate takes an oath of persecution. No; "*persequar*," is not to persecute. The persons who make the

objection, excellent men I suppose they are, but I hope their knowledge of divinity exceeds their knowledge of Latin. "*Expugnabo et persequar*," means, I will use my utmost endeavours to proselyte? What power, what means have these bishops to persecute? But it is not a question with regard to the meaning of the Latin words; there are no such words in the oath, they are not only wrong in respect to the construction of the Latin tongue, but they are wrong in the matter of fact; there are no such words in the oath. I am glad, however, they have expressed their abhorrence of persecution, which, it appears by referring to the fact, the Roman Catholics have abandoned, and they themselves propose to continue. They object to a Roman Catholic ceremony, and that a very ridiculous one, of "reading out," repeated every year. The answer to that is, there is now no such ceremony in England. They say this is a question of politics! Whether the state has a right to punish the subject for not abjuring his religion, a question of politics! Then it seems with them religion is politics, and politics is oppression.

I have now gone through most of the arguments, which at different times (forty years it is since this question has been under consideration) have been urged against the Roman Catholics, from the time of the right honourable member (Mr. Foster), whom I see opposite, who resisted it with great ability, and great temper also, to another right honourable member, the late Secretary for Ireland,* who opposed it on a former occasion, in a speech replete with talent and effect, set off by the suavity of his manners, and the excellence of his character; whatever could be said on that side he has said it; but he laboured under one insuperable difficulty; he was to prove an impossibility; namely, the right of the state to disqualify the subject for not abjuring his religion. I took a part in that debate alluded to, and I must say, I have reason to complain of the unfair criticism of some of our own side. I make no reply, but refer to my speech; that is my answer.

In the course of this debate, two great points have been obtained which should settle the proposition for ever; the one is, the confession of its antagonists; the other, the experiment of its safety. The antagonists have said, that, with equal privileges, population draws power. Then there is an end of their opposition; for the population of the two islands is Protestant, five to one; and the Protestant ascendency would, therefore, be established by the emancipation of the Catholics, and increased; inasmuch as where the different parts of the community have their natural place, the strength of the majority embraces the strength of the whole: there is no deduction. You must consider

* Sir Robert Peel.

also, in addition to their numbers, that the property, particularly the landed property, is, beyond comparison, Protestant; you are to consider that the seat of legislature is Protestant; you are to consider that the crown is exclusively Protestant; you are to consider that the number of members from the Roman Catholic part of the empire cannot exceed a sixth of the representation in one House, even were we to suppose that the whole number were Catholics, which is impossible; still less in the other, besides the bishops; and you must further consider the progress of amalgamation. But the antagonists say, that in Ireland the Roman Catholic ascendency will be established. I answer not; unless it be established in England; for there is but one ascendency, and that ascendency acts here. Gentlemen say it would be Protestant England, Presbyterian Scotland, and Catholic Ireland. Not more than it is so now; with this difference, that it is now disqualified Ireland, and of course discontented Ireland. Gentlemen say, that the property in Ireland would change, and become Roman Catholic. Why so? Not in consequence of the emancipation. To make them members of parliament, or to make them officers, is not a change of property. If such a change takes place, it must be from the freedom of trade and the right of purchase. You do not mean to take away that; you do not mean to restore the gavel, or repeal the act of 1781, which gave them the freehold. Their proposition, then, is this: by the laws which they do not propose to repeal, the property of Ireland must become Roman Catholic. To guard against the evil consequence, they propose to disqualify the landed property, and render hostile or alien to the empire the landed proprietors of Ireland. I cannot say what would be the best arrangement for Ireland, but I am sure that would be the worst. No; there is another still worse; and that is, that these people, so disqualified and affronted, should have the command of the army and navy—you have given it. While gentlemen were talking of the permanency of an imaginary balance, two quantities, and those not very inconsiderable, went out of the scale—the navy and army.

In the year 1807, a noble lord, then the minister,* (and if ever there was a disinterested minister, he was that minister), brought into the House a bill, extending the right of holding certain military commissions to His Majesty's Roman Catholic subjects. It was exclaimed, turn him out. What! a Roman Catholic command a regiment! A Roman Catholic command a ship! The church is undone: turn out the bill; turn out the minister, and excite the people! Two years ago, another minister (he acted wisely) brought in a bill, giving the

* Earl Grey (then Lord Howick).

Roman Catholics the navy and army. The bill was read a first time; it was read a second time; committed; reported; read a third time; and passed without any opposition whatever. It was sent to the Lords; read, committed, and passed; the mitre nodded its unanimous approbation; the bill received the royal assent. The next morning the tower of London was observed not to have fallen; the spires and steeples of Oxford and Cambridge persisted to stand; the Bishop of Peterborough and the Bishop of Chester were alive, and not only alive, but alive with undiminished health and income. The safety of the state and the prosperity of the church showed the futility of that wisdom, and folly of those fears, and the unreality of those alarms, that would, for the strength of the empire, exclude one-fifth of the people.

You have now settled this question; or will you say, that the Roman Catholic cannot be trusted with a vote, but may with the navy of England? Do not give him the *posse commitatus*, but he may have the army; he may be commander-in-chief, but do not make him an alderman. The navy and army consist of above 120,000 men; these he may command: but here draw the line; no political power except His Majesty's forces by sea and land. I say, in point of argument, you have settled this question; and when you shall have settled it in point of fact, I shall congratulate you, for you will not only have enfranchised their religion, but you will ameliorate your own. The enemies of the Roman Catholics had confined the universal benevolence of the Gospel to their own sect, and had deprived their fellow-Christian of the benefits of one great attribute of the Almighty: they had not only taken from the Deity his attributes, but they had given him their own, and had made him a partial and a penal God, the minister of their ambition; and thus they became self-idolaters in the worship of their own spleen, under the name of the Almighty; they had forgotten the mild character of the Gospel; they had mixed a little acrimony in their religion, and annexed to prayer a contumelious humility, that despised the publican who prayed by their side. It remains for them now to restore to God his attributes, and to their devotion the morality, the sublimity, and the amenity of the Gospel.

Other nations have got the start of us in liberality; the system of disqualification has become peculiar to you. It does not exist in other enlightened countries: it is not in Germany, it is not in France, it is not in Hungary, it is not in Holland; but in England, free, liberal, and enlightened England! England and Spain seem to possess it without a rival; but then you will say, let arbitrary countries give civil and religious liberty, but let a free country disqualify a fifth of

its people, and assume to the remainder the monopoly of the Godhead. Recollect that you are forfeiting your great prerogative of taking the lead in liberating the human mind: in the arts that grace mankind other nations excelled you; they sang better, they danced better; but in stating courageous truths, in breaking political or metaphysical chains, here were your robust accomplishments. We have heard of divers anomalies in your policy—they are numerous; your treaties, your subsidies, and your prayers; but you yourself are the great anomaly. The Continent lay flat before your late rival; the Spaniard had retired; the Austrian had retired; the Prussian had retired; the iron quality of Russia had dissolved; the domination of France had come to the water edge, when, behold! from a misty speck in the west, the avenging genius of these countries issues forth, clutching ten thousand thunders, breaks the spell of France, stops, in his own person, the flying fortunes of the world, sweeps the sea, rights the globe, and then retires in a flame of glory; and, when the human race is in amaze and admiration at his courage and originality, he turns school divine, fights a battle about extreme unction, and swears against the companions of his fortune and his victories. Our prince is, on the part of his father, the supreme head of the church; we are his national council, and as such, have a right to advise him. I avail myself of this privilege, and say to him, "My prince, my master, you must take the lead in the deliverance of your people. The graciousness of your manners indicate that you were born for acts of benevolence. Your predecessor, the Plantagenet, prevailed on the Continent, so have you; but then he gave the charter and the laws of the Edwards: your other predecessor, the Tudor, she rescued Holland, so have you; but then she passed wise and useful statutes innumerable. You have carried Europe on your back; but then the home measure, the securing and ascertaining and extending the liberties of your people—that, that still remains. The whole body of the Roman Catholics petition for freedom. The destinies of a fifth of your empire are before you. Come—the glory of the House of Hanover is waiting for you; be the emancipatator of the Roman Catholics, as you have been the deliverer of Europe, and look in the face, the Tudor and the Plantagenet."

APPENDIX.

CHARACTER OF MR. PITT.*

The secretary stood alone. Modern degeneracy had not reached him. Original and unaccommodating, the features of his character had the hardihood of antiquity; his august mind overawed majesty; and one of his sovereigns† thought royalty so impaired in his presence, that he conspired to remove him, in order to be relieved from his superiority. No state chicanery, no narrow systems of vicious politics, no idle contest for ministerial victories sunk him to the vulgar level of the great; but, overbearing, persuasive, and impracticable, his object was England,—his ambition was fame; without dividing, he destroyed party; without corrupting, he made a venal age unanimous; France sunk beneath him; with one hand he smote the house of Bourbon, and wielded in the other the democracy of England. The sight of his mind was infinite, and his schemes were to affect, not England, not the present age only, but Europe and posterity. Wonderful were the means by which these schemes were accomplished, always seasonable, always adequate, the suggestions of an understanding animated by ardour, and enlightened by prophecy.

The ordinary feelings which make life amiable and indolent,—those sensations which soften, and allure, and vulgarize, were unknown to him; no domestic difficulties, no domestic weakness reached him; but, aloof from the sordid occurrences of life, and unsullied by its intercourse, he came occasionally into our system to counsel and decide.

A character so exalted, so strenuous, so various, so authoritative, astonished a corrupt age, and the Treasury trembled at the name of Pitt through all her classes of venality. Corruption imagined, indeed,

* Lord Chatham.

† Not George II.

that she had found defects in this statesman, and talked much of the inconsistency of his glory, and much of the ruin of his victories—but the history of his country, and the calamities of the enemy, answered and refuted her.

Nor were his political abilities his only talents; his eloquence was an era in the senate, peculiar and spontaneous, familiarly expressing gigantic sentiments and instinctive wisdom,—not like the torrent of Demosthenes, or the splendid conflagration of Tully; it resembled, sometimes the thunder, and sometimes the music of the spheres. Like Murray,* he did not conduct the understanding through the painful subtilty of argumentation; nor was he, like Townshend,† for ever on the rack of exertion, but rather lightened upon the subject, and reached the point by the flashings of his mind, which, like those of his eye, were felt, but could not be followed.

Yet he was not always correct or polished; on the contrary, he was sometimes ungrammatical, negligent, and unenforcing, for he concealed his art, and was superior to the knack of oratory. Upon many occasions he abated the vigour of his eloquence; but even then, like the spinning of a cannon ball, he was still alive with fatal, unapproachable activity.

Upon the whole, there was in this man something that could create, subvert, or reform; an understanding, a spirit, and an eloquence to summon mankind to society, or to break the bonds of slavery asunder, and rule the wildness of free minds with unbounded authority; something that could establish or overwhelm empire, and strike a blow in the world that should resound through its history.

* Lord Mansfield.

† Mr. Charles Townshend. See his character in Burke's speech on American taxation.

ANSWER TO A PAMPHLET OF LORD CLARE.

To the Printer.

I HAVE seen a pamphlet, purporting to be written on the Union, and published in the name of the Earl of Clare. The speech of the noble earl, delivered in the House of Lords, I have nothing to say to; but a publication is not a speech, and though it be the work of a member of Parliament, has no privilege. Whether his lordship be the author, I have no authority, save the assumption of the publication, to affirm; but the pamphlet contains against several, with whom I have acted, charges, the most direct, and against myself, for the last twenty years, charges the least qualified, and insinuations the most deep. What is yet worse, it tends to lower the character of the country, and to tarnish the brightest passages of her history, as well as the memories of the persons concerned in those transactions. Matter so various and comprehensive, could not be regularly discussed in any debate that has come, or is likely to come, before the House of Commons. In the interval of business, I therefore resort to the only method of defence, the press.

H. GRATTAN.

Mr. Grattan will take no notice of any answer, except one coming from the author of the pamphlet.

Dublin, April, 1800.

Of the work which it is proposed to answer, nearly one-third is the common place of Irish history. Much of abridgment, much of misrepresentation, no new discovery, no new remark; the termini, or landmarks of historic knowledge, remain precisely as they were, in their old sober station. What was long known before by many men, by many women, and by many children, the compendium of the studies of your childhood, this pamphlet reports to you, for the amusement of your age,

without any other novelty, save that of misrepresentation. The idea is to make your history a calumny against your ancestors, in order to disfranchise your posterity; the execution is without the temper of a commentator, or the knowledge of an historian.

We will begin with this performance, at the Irish Parliament of James I. The author is now within 187 years of his subject. Ireland, says he, had no parliamentary constitution till that time. Here his pages only deserve attention, in order to vindicate the lineage of our liberties against slander. This statement is a traduction of the inheritance of the realm, a calumny against her antiquities, and a falsification of her title. Lord Coke, the judges of England, the records of Ireland, the *modus tenendi parliamentum*, the statute-book, the extent of acts of Parliament before the reign of James throughout the realm, and the act of annexation among others, answer him. From all those you find, that Ireland had a parliament from the beginning, and that the legislature was not of the Pale, but of the nation.*

The boldness of this assertion is rendered the more remarkable by the distinguished feebleness of its reasoning. The pamphlet attempts to prove that to be true in argument which is false in fact; and its argument is, that James I. generalized Irish representation by forty private boroughs, that is, that he rendered representation general, by making it particular. It teaches you to think, that it was James instead of Elizabeth who created the seventeen counties, and that he did not create the forty boroughs, by him erected to counteract that county representation, in order to pack a parliament. It conceives, that the legislature was not general, because the representation was not so. It should have said, that the legislature being general, the representation ought to be so. It discovers two ideas of a new and extraordinary nature on this subject, that parliament is confined by the bounds of representation, and that national representation is extended by the creation of private boroughs. And for this paradoxical idea of parliament, and this paradoxical idea of representation, it offers you nothing like extent of erudition, or force of imagination; it is dull error. The art of modern war, says the pamphlet, is to traduce the house of Stuart; the art of modern court loyalty, it might have added, is to praise the principle of the Stewart, and to plant it in the house of Hanover.

The pamphlet now comes to its own times, and it is to be remarked,

* See the speech of Mr. Hutchinson (late Secretary of State,) on the subject of parliamentary reform, in the parliamentary debates of 1793. It is a complete answer to the pamphlet on this part of the subject.

that as it dwelt on the past with all the fury and prejudices of the present time, so it expatiates on the present, with as much error and mistake, as if it were treating of the remotest antiquity. It * states the adjustment of 1782, to be described by its author as follows: " that it emanated from the armed convention assembled at Dungannon, was approved at county meetings of the people, armed and unarmed, and was sanctioned and registered by the Irish Parliament." No such thing, nor anything like it, did its author say, nor suggest, nor hint; and this statement of the pamphlet is not misrepresentation, nor misinterpretation, but palpable invention; did not the pamphlet assume the name of a judicial character, I would say, downright falsehood. I respect and admire the meeting at Dungannon, but the subjects of 1782 did not emanate from thence; two years before were they discussed in parliament; they were discussed on the 19th of April, 1780, on a motion made by myself; and in the course of that session, and of the next session, repeatedly and fully. They were adopted by different counties, and various descriptions of men, and they finally passed the parliament. Such is the history; the pamphlet falsifies the history, to blemish a great transaction, and attributes that falsification to me in order to blemish an individual.

We follow the work where it will be perhaps more fortunate. It objects, on the question of the claim of right, to the declarations of the volunteers. Their character now, it seems, it professes to admire; their conduct, however (this was the most leading part of the conduct of the old volunteers), it condemns; the inconsistency of setting up a character, and putting down a conduct, is glaring; but in a work pregnant with everything which is exceptionable hardly deserves notice. But will any man seriously say, that those bodies should not have come forward at that time with resolutions in favour of a claim of right? Does any man mean to affirm, that we could have established that claim without them? Does any man mean to say, that the claim did not deserve to be established? If so, he is a slave; and in neither case does he deserve an answer. To have countenanced resolutions essential to the establishment of your constitution, and to have opposed any further interference, when that constitution was established, was the duty and the pride of them by whom the business of 1782 was conducted. By the first step they procured the constitution; by the second they saved the government; and in both they deserved well of their country, and are placed far above the

* No such statement is to be found in any of Mr. Grattan's speeches.

reach of the author of this little performance, its little censure, or its little panegyric. We thought, that at that time, as in the period of *Magna Charta*, armed men might make declarations to recover liberty; and having recovered it, we thought they secured their glory as well as their freedom, by retiring to cultivate the blessings of peace.

The pamphlet has further objections: it condemns the expedition with which the claim of right was established; it calls for discussion, and delay; to do what? To debate whether the English Parliament had a right to make laws for Ireland? Whether the privy councils in both countries should alter your bills? Or whether the Mutiny Bill should be perpetual? Why, for the two preceding years, these subjects had been, and little other than these subjects had been, debated. The pamphlet has proved to you, however, the necessity of expedition, by its argument for delay; for it explains to you, that we were to delay the question, in order to sell it; that is, in order to diminish, clog, and condition your claim of right. You were to delay, the pamphlet explains, in order to preserve to the Parliament of England, over this country, a share of legislative power; and the pamphlet administers additional arguments against its project of delay, by showing you, that the viceroy of that time was intriguing against your favourite measures; and it gives you still further arguments against delay, by suggesting, that there were certain gentlemen at that time, who would not with their lives have supported their liberties; it might have added, nor with their votes. Perfectly well do we understand the author; and this pamphlet might have added, with peculiar authority, that there were certain young gentlemen at that time ready to barter honour for office, and liberty for chains. It was, therefore, we did not listen to the idea of delay; we did not choose to set up the inheritance of the people of Ireland to auction; we were applied to for delay, and we refused it; we thought the 16th of April was the day of the Irish nation, and we were determined not to lay our heads on the pillow until we could say, *This day Ireland has obtained a victory.*

Seeing, then, that the constitution was established without delay, or barter, or auction, the pamphlet does not despair; it has a cure, viz., corruption; it does not indeed set forth corruption in words, but it does amply and broadly in idea.

The expressions are these: "The only security for national concurrence is a permanent and commanding influence of the English executive, or rather English cabinet, in the councils of Ireland." By

councils of Ireland it means, and professes to mean, nothing less than the parliament. Here is the necessary substitute, it seems, for the British Parliament—here is the half million—here is the dependency of the Irish Parliament avowed as a principle; here breaks out the taint and sore of that system, whose rankness the pamphlet seems to have deeply inhaled, and with whose political incense it now deigns to regale our nostrils and its own; here is acknowledged the truth of the complaint of the opposition, namely, that the British minister, some years after the settlement of 1782, wished, through his agents here, to filch back our constitution of 1782, so honourably and nobly obtained, and to resume by fraud what had been obtained by treaty. In vain shall a minister come forth in sounding words, such as national concurrence or national connection, and wrap himself up in the threadbare coat of zeal for empire, to stab his country to the heart; such arguments are not to be answered but punished, and when any man shall avow that he has no idea of governing in this country, without rendering her parliament, by the means of influence, perfectly dependant on Great Britain, he avows not his profligacy only, but his incapacity also. Such a minister could not govern without corruption; he could not govern with it; he might indeed begin by attempts to pack a parliament, but he will conclude by rebellion.

To return to the pamphlet. On the subject of the claim of right, the author seems to have three parental ideas: first, that the volunteers should have made no declaration on the subject; secondly, that the question should have been left open to delay; and, thirdly, that the British cabinet should succeed to the power of the British Parliament. By the first plan the constitution had been lost; by the second sold; and by the third corrupted. We follow the pamphlet: it states, that the adjustment of 1782 was described by the author of it as follows: then he introduces a description which certainly was given by its author, but which was not a description of the adjustment of the parliament of 1782, but of a parliament that sat 187 years ago, and which was assembled by James I. in the year of our Lord 1613. Here again is that of which we have so often reason to complain in this work, fabrication; true it is, that the boroughs created by James I. have had their effect on posterity, and true it is, that those boroughs continue to send members to parliament. So far the parliament of 1782 and of 1613 had a similitude; but it is not true that the parliament of 1782 was a packed parliament like that of 1613; it is not true that the representatives of the boroughs were either attorneys' clerks or the servants of the Castle, as in 1613; nor is it true that the

boroughs of 1782 resembled those created by James in 1613; and so far the two parliaments have no similitude. Mr. Burke, speaking to me of some country that had prospered under a constitution consisting of three estates, but estates defectively formed, observed, "that it was of the nature of a constitution so formed as ours, however clumsy the constituent parts, when set together in action, ultimately to act well;" so of that in question. The boroughs, in a course of time, ceased to be under the influence of the king, and the constitution took root in the people; the crown became dependant for supply on the parliament, and the parliament, by the octennial bill, became more intimately connected with the country; but however altered, depurated, and naturalized, this borough system was an evil still; in 1613 it was court ascendency—it was corruption; in 1800 it may be union. We follow the work. It affirms, that the rivals of Mr. Flood had agreed, in 1782, to support a draft of a clandestine bill, or treaty, for imperial legislation, which the pamphlet describes, and adds, that they sacrificed to flimsy and corrupt popularity the peace of ages, &c. &c. Here are two assertions, which I do affirm publicly, and in the most unqualified manner, contained not one syllable, or tittle, or shadow of fact; the two assertions are wholly and most absolutely destitute of truth. The author of the pamphlet is called upon to support and to defend them; he has access to the Duke of Portland, and to many of the cabinet of 1782, in both countries, and to the official and unofficial agents of that time.

We have seen with what regard for truth the pamphlet asserts, we will now see with what justice it reasons, and certainly its falter in fact must prejudice its authority in logic. It denies the settlement of 1782 to have been final: the words of the settlement are as follows: "His Majesty recommends it to take into consideration the discontents and jealousies prevailing in Ireland, in order to come to such a *final* adjustment as may give mutual satisfaction to both kingdoms."—See his message to the respective parliaments. Parliament declares, "that no body of men whatever has any right to make laws for Ireland, save only the King, Lords, and Commons thereof, that this is the birth-right of the people, in which the essence of their liberty exists, and which we cannot surrender but with our lives."—See address of the Irish Commons, 16th of April. "His Majesty has recommended the subject to his parliaments of both kingdoms, trusting that their wisdom will recommend measures as may terminate in a *final* adjustment."—See His Majesty's answer. "The British legislature has concurred in a resolution to remove the causes of your discontents and jealousies: the intention of the King, and willingness

of the British Parliament come unaccompanied with *any stipulation or condition whatever.*"—See the Duke of Portland's speech, 27th May. "We conceive the resolution for an unqualified, unconditional repeal of the 6th of George I. to be a measure of justice and wisdom, worthy of the British Parliament, and furnishing a perpetual pledge of mutual amity; gratified in these particulars, *no constitutional question will exist* between the two countries to interrupt their harmony."—See Irish Commons' answer, 27th May. "We rejoice that the name of Portland will be handed down as blended with a *full* and *perfect* establishment of the constitution of Ireland."—See Commons' address to his Excellency same day. "His Majesty assures his Commons of his affectionate acceptance of their acknowledgments of His Majesty's and the British Parliament's attention to their representation, and which they so justly consider as furnishing a *perpetual* pledge of mutual amity. The declaration that *no constitutional question* between the two nations will any longer exist that can interrupt their harmony, are very pleasing to him."—See the King's answer to Irish address of 27th May. "We have seen this great national arrangement established on a basis which secures the tranquillity of Ireland, and unites the affections as well as the interests of both kingdoms."—See Commons' address at the close of the session of 1782. "Convince the people of your several counties that the two kingdoms are now inseparably one, indissolubly connected in unity of constitution and unity of interest; that every just cause of jealousy is removed; *that the two nations have pledged their faith, and their best security will be an adherence to that campact.*"—See the second speech of the Lord-lieutenant at the close of the session and the adjustment.

Here is the record; the pamphlet proposes to do away the force of record by the force of intrigue, and to set up a private correspondence of the then Lord-lieutenant against a public act. It produced an intrigue carried on with a view to clog the settlement, as sufficient not to condition or interpret, but to overhaul and overset it. It does not make the covenant conclusive on the insincerity of the viceroy, but the insincerity of the viceroy conclusive against the covenant, as if it were possible to construe away the obligation of a deed of trust by a private protest of the trustee, or as if treaties between two nations were to be set aside by the private letter of the envoy. It goes further, it gives the private intrigue an extent which the intrigue itself never affected; it makes the correspondence, containing a wish pending the adjustment and before its conclusion, to condition the Irish claim of right, tantamount to a public protest purporting to render it final in

nothing. The pamphlet states, "That all the parties looked on the adjustment of 1782 as leading to a future political treaty."

The author is ignorant of the sentiments of the parties, as well as of the nature of the treaty. Thus Mr. Fox's sentiments the pamphlet has misrepresented; he (Mr. Fox) has declared, that he wished to make the best terms he could for Great Britain; but, as Ireland would not condition her independence, he gave up the second proposition. It has misstated the sentiments of General Fitzpatrick; *he* declares that he was totally ignorant of the despatch of the Duke of Portland, and that he had, at the very time, assured the Irish Parliament, in the name of the government, which he then represented, that no farther measure was intended. He has misstated Mr. Grattan's sentiments, who publicly declares, that every part of the assertion, as far as relates to him, is totally unfounded, without a shadow of colour or pretence; and calls on the author to support his assertions. But I think I could quote *another* authority against this pamphlet; it is another pamphlet in the name of the same author, published in 1798; which charges the people of Ireland, and the opposition, with a breach of faith in agitating certain political and commercial questions, after the kingdom had come to a final settlement with England, "a settlement so complete and satisfactory as to render a revival of political or constitutional controversies utterly impossible."

That pamphlet accordingly quotes the address of 1782, declaring, that all constitutional questions between the two countries should cease; and it extends the word *constitutional* to mean all *commercial* questions; and it extends the words *between the two nations* to mean questions *between the administration and the country.* This interpretation, by the pamphlet of 1798, was as extravagant as the *opposite* interpretation by the pamphlet of 1800, in the name of the same author. The author is *there* made to differ from Mr. Pitt, and to say, that the adjustment went to everything; the author is *here* made to differ from himself, which is much less surprising, and to say that the adjustment extended to nothing. But here I must observe, that it is the argument only that is inconsistent, the sentiment is perfectly uniform; it advanced covenant against national redress, and it now advances the will of the minister against covenant. Thus has this pamphlet, on the subject of a national treaty, expatiated with extraordinary vehemence and confidence, without knowing its purport, without knowing who were the parties, without knowing who should be the parties, without knowing what were the sentiments of the parties; in direct contradiction to the sentiments of the principal agents, and to

the spoken, written, and printed opinion of the alleged author of the publication.

We follow the work: having denied a covenant which did exist, it fabricates a covenant which never had any existence whatsoever; it asserts (p. 47) that an alliance, offensive and defensive, was formed by certain parties, in both countries, to play the independence of Ireland against their antagonists. Secondly, It affirms the principal object of that alliance to be, to guard against any settlement which might cut off the sources of jealousy and discontent between the two nations. I do aver, in the most solemn, public, and unqualified manner, that there is not the least foundation, colour, or pretence for either of those assertions; and it is with great pain I feel myself forced to declare, that they are absolutely and wholly destitute of any foundation, in fact or in truth. I refer to these facts.

Immediately after the settlement of 1782, the English part of this pretended alliance went into opposition; the Irish part of this pretended alliance, till 1785, supported the government, and some of them for years after; the English part of this pretended alliance opposed the French treaty; the Irish part supported it; some of the English part of this pretended alliance opposed the war, the Irish part supported it. Here then is a public proof of the falsehood of the first position. We are furnished with further means of falsifying the second.

The original propositions that passed the Irish Parliament in 1785 were that very settlement which the pamphlet describes; that is a settlement purporting to cut off the sources of any remaining discontents and jealousies between the two nations, and they had our warmest support. So that the pamphlet has been so indiscreet and ill advised as to advance and affirm two criminal charges positively and publicly, having, within the reach of the author's knowledge, certain facts, proving the falsehood of those very charges, at the very time that he so injudiciously advanced them.

The author is called upon to support them; he must have access to the Duke of Portland, to Mr. Pelham, and to many of those who must have been parties in this pretended alliance. They are not our friends, they are his.

The work proceeds to state, but not to state fairly or fully, the propositions; and I cannot but again observe, that these frequent mistakes in fact must create a prejudice against its logic. The best way of answering misrepresentation is by reciting the fact. The original ten propositions were formed with the consent of the British cabinet; they were the work (at least the first nine), as I understand, of a

gentleman of this country, and they showed, in their ability and their compass, the hand of a master. A tenth was added, which stipulated for revenue to be given by this country to Great Britain; that tenth was altered in the cabinet in Ireland, and divided into two resolutions, the first declaring, that no Irish revenue should be given to England until all Irish charges were previously satisfied; the second, that the Irish revenue should be raised to the Irish expenses. The Irish ministry took the new revenue, and the English Parliament altered the original proposition. Pending these alterations, some members of our House spoke on the subject, and pledged themselves that they should, on the return of the propositions, give them opposition, in case they should be altered, even in an iota. I recollect Mr. Foster speaking to that point, he did not so pledge himself; but I perfectly recollect, that the then Attorney-General did: the pamphlet has given reasons for the inconstancy of his sentiments, give me leave to justify the uniformity of mine. The bill, founded on the altered propositions, departed from the original ones in the following particulars; it stipulated for a perpetual revenue-bill; it stipulated, in certain leading and essential matters, for a covenant of referential legislation; it included, in that covenant, four articles of American commerce; it stipulated for the reduction of our duties of protection on cotton among others, and it gave us nothing in substance but the re-export trade, which we have gotten without it. To the public it is sufficient to say so much, to the pamphlet it is unnecessary to say any thing; but when that pamphlet calls opposition to those altered propositions a breach with England, and a sacrifice of the common interest on the altar of faction, the author should be reminded, that the person whose name it assumes had pledged himself to oppose those altered propositions; that is, according to the pamphlet, to cause that breach with England, and to make that sacrifice on the altar of faction; and also, that a great part of the present cabinet of England did actually execute what the pamphlet calls a breach with England, and sacrificed the common interest on the altar of faction—Lord Auckland, the Duke of Portland, and most of his connexions. But we stand in need of no authorities; did we, I should quote Mr. Denis Daly, the then muster-master, who declared he could not support the altered propositions. The truth is, the opposition to the bill which comprehended them was no breach with England; however there might, indeed, mix in the debate an offensive disposition to contrast the two nations; but we must always distinguish between the nature of the question itself and the craft of the expectant flattering the court of England, by reviling his own country for his private advantage.

We follow the pamphlet to the regency, and here its charge against the country is not her conduct but her power. The pamphlet reprobates the right of Ireland to choose a regent; now, she is not responsible for the right, but the exercise of it, and we have shown that she exercised that right for the preservation of the monarchy and the connexion. The pamphlet states the power of choice to be tantamount to a power of separation. But who gave that power? It was the law. And who displayed that power? The minister. It was he who stated, that the two Houses of Parliament, in case of regal incapacity, could supply the deficiency exactly as they thought proper, when a servant of government here maintained that the Houses of the British Parliament could do no more, and could provide for the deficiency in Ireland as well as in England, that is to say, could republicanize both countries. He did not make our situation better, nor give any great security to the monarchy or the constitution.

The pamphlet asserts, that if the proceedings of our parliament could have any effect, we were separated for some weeks from England. Now, if we were separated for an hour, it was not by the proceedings of parliament, that is to say, by the address to the Prince, which never had effect, but by the indisposition of his Majesty, which had effect, and which alone had effect to suspend the royal function, and, of course, the only connecting power of the two countries.

The pamphlet, having confounded the proceedings of parliament with causes which parliament found but did not produce, proceeds to a gross misrepresentation of concomitant circumstances. It charges on the parliament the crime of expedition, but it does not state the cause of it. One cause was, the sedition of the Irish minister. That ministry apprehended dismissal, and were forming an opposition. The then representative of majesty in Ireland was supposed to be employed at that time in canvassing for a party against the future government, with the king's commission in his pocket. Thus his Royal Highness would have been a regent in chains, with a court in mutiny.

The pamphlet charges the Commons at that time with disrespect to the king, marked by the limitation of the supply. The fact is true, but it is not true as the pamphlet states it; the Commons abridged the grant of the supply because the king's minister in Ireland could not be trusted, and he could not be trusted for the following reasons: Because he had declared he would make certain members of parliament victims of their votes; because he had censured the parliament, and the parliament had censured him; and, because one of his servants had pronounced in parliament the necessity of resorting to the rankest

corruption. It was for these reasons that parliament did not think proper to trust either with the revenues of the country.

The pamphlet asserts, that the Irish Parliament proceeded without a tittle of evidence; it is not the fact. The pamphlet, indeed, acknowledges that its own charge is not true, by making another, namely, that the House of Commons did not attend to the evidence. Here it is as deficient in candour as before in fact. The case was, that the report of the physician, regarding the state of His Majesty's health, had appeared before in every paper; it was a subject too interesting and too melancholy not to be perfectly known, and was read in the House *pro forma*. On this part of the subject the pamphlet is, in an eminent degree, indecorous and licentious, when it speaks of the House of Commons; nor is it less so when it speaks of the persons concerned in the proceedings of that time, as of a set of men who had accomplished a breach between Great Britain and Ireland, and had committed (I think the words of the charge are) *enormities*. The persons guilty of those enormities were some of the present servants of the Crown, a majority of two Houses of Parliament, several bishops, a great part of the present cabinet of England, the Duke of Portland and his party, Lord Spencer, who was to have been Lord-lieutenant, and Mr. Pelham, who was to have been his secretary: were it not presumptuous, I might ascend much higher.

An alliance to play against England the independency of Ireland, whose basis was to prevent measures of concord; a breach made between the two countries in 1785, and now their enormities in the address on the regency, are charges against the Duke of Portland's party very unfounded and very puerile, but made with great boldness by the author, who seems to enjoy a genius for crimination, which, in its extent and extravagance, becomes harmless. The pamphlet charges on that period much indecorum. I do lament it. "You have set up a little king of your own," said a principal servant of the Crown, speaking to the House of Commons, and talking of his prince with the vulgar familiarity with which a pert barrister would salute his fellow. "Half a million, or more, was expended some years ago, to break an opposition, the same, or a greater sum, may be necessary now;" so said the principal servant of the Crown. The House heard him; I heard him; he said it, standing on his legs, to an astonished House, and an indignant nation, and he said so in the most extensive sense of bribery and corruption. The threat was proceeded on, the peerage was sold, the caitiffs of corruption were everywhere; in the lobby, in the street, on the steps, and at the door of every parliamentary leader, whose thresholds were worn by the members of the then administra-

tion, offering titles to some, amnesty to others, and corruption to all. Hence arose the discontents of which the pamphlet complains, against such proceedings, and the profligate avowal of such proceedings, against the consequences that followed, they were many and bloody; we did then, and we beg now, to enter once more our solemn protest.

Could that nation, who had refused to obey the legislative power of the British Parliament, who had armed for her defence and her freedom, who had recovered her trade, reinstated her constitution, and acquired a great, and, it shall not be my fault if it be not, an immortal name; could they who had taken a part for that nation, in all her glorious acquisitions; could the nation, or such men, could both forget themselves, and support a rank instrument of power, and become its little comrade and its copander in its dirty doings, in the sale of the peerage, its conspiracies against parliament, and its vile and vulgar abuse of the people.

A pamphlet of 1798, published in the name of the same author, is pleased to mention, that the experiment of conciliation had been fully and abundantly tried; and it particularly instances the acknowledgment of our parliamentary constitution. It was an experiment, magnanimous on the part of Great Britain, and her then minister, and we ought to take this public opportunity of making acknowledgments to both; but we must lament that their noble purposes were counteracted, and their wise experiment betrayed by a calamitous ascendency in the Irish cabinet, from 1789, of the above councils, at once servile and insolent, who had opposed the establishment of the Irish constitution; and scarce were they placed in power when they planned its overthrow, set up a counter experiment, or conspiracy, to undo what England thought she had recognised, and Ireland thought she had secured; that very parliamentary constitution, our bond of connexion and pledge of peace, and took two methods to accomplish their crime, both of which they proclaimed with much public immodesty, but without danger; a project to pack a parliament and a project to abolish it.

We follow the work: it complains of the Whig club; the minister was the author of it; his doctrine, and his half-million, were the authors of it. But clubs of this kind are only preserved by violence; that violence did happen; an attack was made on the rights of the city; a doctrine was promulgated by the same person, that the common council had no right to put a negative on the lord mayor, chosen by the board itself of aldermen, except the board should assent to the negative put on its own choice. This doctrine was advanced by the court, to secure the election of the mayor to itself. In the course of the contest a minister involved himself in a personal altercation with the citi-

zens: with Mr. Tandy he had carried on a long war, and with various success; he was now involved in an altercation more general, in the compass of his wrath and his scurrility; he paid his compliments to the Whig club, and that club advanced the shield of a free people over the rights of the city, and humbled a little minister in the presence of those citizens whose privileges he had invaded, and whose persons he had calumniated. The pamphlet charges the club with a crime on account of a publication on the subject of the poor, pending a probable invasion,—idle charge! At this time of a probable invasion, is a society formed for the very purpose of investigating their condition with some of the officers of state, and several clergy at its head. At such a time did some of the English clergy publish treatises, proving that the peasantry could not live by their labour. Did the author read a very learned pamphlet in favour of the Union, published by Mr. Douglass, at a time of apprehended invasion, recommending union as the best means of relieving the lower order from the oppression of the rich? And then he quotes Adam Smith. Did the author read Mr. Pitt's pamphlet, published pending an apprehended invasion, and condoling with the peasantry of Ireland, on the great *practical grievance* of tithes? But, to have done with such trifling, we follow the work to its charge against the propounders of the reform plan of 1797; the work sets forth two plans, that of those gentlemen, and that of the united Irishmen: they differ in the following essentials:—The plan of the former left the counties as they are, the former did not propose to annualize parliament; the former rejected the idea of personal representation; the former did not propose to abolish the oath taken by the elector. What then did the former do? It destroyed boroughs, and it proposed to supply their place by the present freemen and freeholders, that is, by those whom the law calls the Commons; it created no new constituency, but it did what every plan of reform professes to emulate; it gave representation to the constituency, that is, to the Commons in the place of the monopolist. When I say it made no new constituency, I beg to make an exception, it introduced in the place of the potwalloper, as he is termed, substantial leaseholders and substantial householders, that is, it gave property more weight, and population distinct from property, less weight. On the whole, it took away the monopolist and the potwalloping rabble, and communicated the representation of the kingdom to the proprietors thereof, as constituted its electors by law, or as entitled to become such by a property greater than the law had required.

The effect of this plan had been to prevent an union. If we are to advert to the evidence of the prisoner examined by the Houses of

Parliament, it had been to prevent a rebellion, and to break off a French connexion. When the pamphlet sets forth, that Mr. O'Connor, &c.* approved of this plan, it should have stated the whole truth, or have stated nothing; it has done neither. It has suppressed their declaration, which was, that, had that plan taken place, they would have broken off their connexion with France.

Neither the history of that reform, nor the history of any public measure, does the writer set forth. A plan of reform had been proposed in 1793, and debated in 1794. It was objected, first, that the plan did not give satisfaction; in that the most vehement partizans of parliamentary reform had signified their disapprobation; secondly, that the plan opened the way to another plan, or to the project of personal representation. It became highly expedient, before any other plan was submitted to the consideration of parliament, to be able to assure that august body, that such plan would give general satisfaction, and put an end to the project of personal representation. The persons concerned in the forming that plan did accordingly obtain from the north of Ireland, and, moreover, from the advocates of personal representation, authority to declare in parliament, that if the plan of 1797 should pass, they would rest satisfied. If a further answer to the author be necessary, it is his own avowal of his own principle, viz., that no Irish representation at all is necessary, and that he should be satisfied to be governed by the English parliament, without a single representative. With such a person I shall no further discuss the subject of representation. He is, in his own person, an argument for reform. What! the man of the half-million!

We follow the work to the Catholic question. It is pleased to quote me as follows: "Let me advise you by no means to postpone the consideration of your fortunes till after the war, your physical consequence exists in a state of *separation from England*, &c." I am extremely sorry to be obliged to declare again what I have been compelled to do so often; that this paragraph, published as mine by the author of the pamphlet, is not misinterpretation, not misrepresentation, but *palpable fabrication*. I never said, nor published, that the physical consequence

* The author is pleased to term Mr. O'Connor our *unreserved* friend. In his manifesto, showed to the Irish government for permission to publish, Mr. O'Connor sets forth, that, save only on the question of reform, he had no communication with us of any kind whatever; that manifesto must have been read by the author of the pamphlet, who thus makes another charge he should have known to be groundless, and which he is now called on to maintain. We do not call for legal evidence; but if the author has any evidence at all, such as would convince an honest man of the truth of any of those charges, or justify an honest man in making them, he is called upon and requested to produce that evidence.

of any part of His Majesty's subjects existed in a state of separation from England, nor anything that would warrant that interpretation; but I did say the reverse; that as our domestic security consisted in concord with another, so our security, against an invader from abroad, depended on our connexion with Great Britain. On this expression, then, boldly attributed to me, but which I never delivered, the author founds two charges, as destitute of truth as the foundation on which they rest; a charge of revolution and jacobinism. The author, in a production sanctioned by his name, in one of the public papers, is made to say that a certain party had resorted to the Catholic bill as a new subject of discontent, after the place and pension bill had been conceded. Here again I am forced to lament the necessity of declaring, that this assertion also is totally and absolutely destitute of foundation; and I will prove its departure from the fact by the proceedings of parliament. The first Catholic bill after that of 1782 was passed in 1792; the second was early in the session of 1793; and the place and pension bill did not pass till the close of it, so that the *refutation* of the charge appears on the rolls of parliament. As to the last Catholic bill, they to whom he alludes did not resort to it as a new subject of discontent to annoy the government, being at that time themselves the administration; it follows, there is an arithmetic and moral impossibility of the truth of this charge of the author. I beg indulgence, in addition, to state a few facts. The Catholics were not excited to come forward by an opposition; they were induced to come forward by Mr. Mitford's bill in 1791. They came at the latter end of the session of that year to some of our party, myself among others, to know whether we should not advise them to petition parliament for further indulgences. My answer was, I am your friend, but go to the secretary and consult him; do not narrow your cause to the fate of an opposition and a minority. I give this advice as a friend to your body. In the winter of 1791 I was applied to by Mr. Richard Burke,* with a request to know my sentiments on the Catholic subject, which I did not disclose to him, declaring at the same time my good wishes to the Catholic body; and on the opening of the session in January, 1792, I gave the Catholics a decided support. Forgetting this, the pamphlet quotes a declaration, "that the Catholics could not induce any one member of parliament to patronize their petition. This declaration was published, December, 1792, and the author charges from thence, that, until the petition was recommended by ministers, we had been Catholic persecutors. That charge also is a departure from fact: I

* Son of the celebrated Edmund Burke.

remember giving in support of the Catholic petition and claims a decided voice and vote in 1792.

In January, 1793, their claims came recommended from the throne, and, in supporting their bill so recommended, I observed, that, however I might think it were judicious to go farther, I did think the bill communicated most important rights. In the session of 1794, the Catholic subject was not mentioned; but in summer, on a change made in the British cabinet, being informed by some of the leading persons therein, that the administration of the Irish department was to belong to them, and that they had sent for us to adopt our measures, I stated the Catholic emancipation as one of them. Thus the charge, that we were originally persecutors of the Catholics appears to be a departure from the fact. Thus the charge, that we took up the Catholics after the passing of the place and pension bill, as Irish matter of opposition, appears likewise to be a departure from fact. The proofs are in the proceedings of parliament.

The pamphlet of 1798, in the author's name, has said, that the experiment of conciliation was abundantly tried. Here is the second experiment, and here it is but just to acknowledge the wisdom of His Majesty, and the benignity of his intentions, when he was graciously pleased to recommend the Catholics in 1793, in his speech from the throne, so that this body, thus royally patronized, might be attached not only to the constitution, whose privileges they were to participate, but to the great personage also at whose special interposition they were thus parentally and majestically recommended. But as in the first experiment, the people of England, so in the second, was His Majesty betrayed by those infatuated, weak, and pernicious counsels, which had been, in 1789, the instruments of political corruption, and now became the horn of religious discord.

I will give the learned author every advantage, and, contrary to my fixed and unalterable opinion, admit the policy of excluding the Catholics from the constitution; yet should I, nevertheless, condemn the hostile and outrageous manner in which that exclusion was defended. "If," says he, "the Catholics do not subvert the Protestant government, they must resist the ruling passions and propensities of the human mind; they can never be cordially affected to His Majesty's government. I am confident, the old Roman superstition is as rank in Ireland now as in 1741: the profound ignorance of the lower order, the general abhorrence of the Protestant religion by the people, qualify them to receive any impression their priests can make; and if their minds be divested of veneration for the priest, such is the ignorance and barbarity of the people, that they would fall into a state of rude

nature: the Popish superstition is not confined to the lower order, it flourishes in full vigour amongst the higher order."

This was the language, improper because not founded in fact, and impolitic and indecent in any man, though the facts could support it; idle, empty, and shallow ranting. The best way to distinguish the indecorum of such a speech, is to advert to a speech made on the same side of the question, by a gentleman who said everything that could be urged against their pretensions, without uttering a single syllable which could give offence to their persons, so that the Catholics might much more easily forgive the latter his vote than the former his speech; and, on a comparison of the two productions, you will see the eminent superiority of sense with temper over talents without it. There are two sides in this question which men of principle might take, for the measure or against it; but the ministry that took both parts, could be justified by neither. The fact was, that the ministry encouraged the Protestants, and forsook them afterward; they brought forward the grand juries, and deserted them also—then to the Catholics—then to the Protestants—then back again to the Catholic, and then to the Protestants once more. This was a great mistake, but there was a greater, and that was to be found in those speeches and publications from a quarter in high confidence, which vilified the acts of concession in the moment of conferring them; and, affecting to support the king's government, called the bill he had recommended *an act of insanity*. The incoherent plan was erroneous, but this was infatuation, it was the petulance of power, it was the insolence of wealth, it was the intoxication of a minister in a state of sudden and giddy elevation, breathing out on a great and ancient description of His Majesty's subjects the frenzy of his politics and the fury of his faith with all the feminine anger of a feverish and distempered intellect. It went to deprive the Protestant ascendency of the advantage of temper, and of the graciousness of good manners, which should always belong to the powerful sect; it went to deprive the state of a certain comeliness of deportment and mild dignity which should always belong to government; it fought in the king's colours, against the king's benevolence; it went to deprive His Majesty of the blessings of gratitude, and his people of the blessings of concord; it went to corrode where the Crown had intended to heal, and it curdled with the temper of the minister, the manna that was descending from the throne.

The argument that accompanied this invective was of little moment; a man in a fury cannot argue; the weakness of his reasoning will be exactly in proportion to the strength of his passion.

Behold a melancholy example of the victory of human passion over the human understanding. The present danger of the Papal power after the deposition of the Pope, the incompatibility of the real presence and of the worship of the Virgin Mary, with the interest of the House of Hanover, and the incompetency of parliament to alter the oaths of its own members—such are the author's arguments. However, if the pamphlet of 1798 denies the competence of parliament, here comes the pamphlet of 1800 to console you, and as the one sets the law above the law-maker, so the other sets the law-maker above the constitution, and both together would prove that the legislature is incompetent to admit a Catholic, but is perfectly competent to destroy a parliament.

We leave these arguments, and the vehement spirit with which they are poured forth, and come to the close of the pamphlet and the beginning of the subject—the Union. Of one hundred and one pages, twenty-six only are devoted to the question; the rest contain feelings, battles, and sores from a perpetual encounter with all descriptions of men, and with patriotism, in all ages. As the author scarcely argues the question of Union, or indeed affects it, here I shall say but little; however, two great points he would establish I beg to advert to. They contain positions which are not only glaringly unfounded, but exceedingly dangerous; the first, That this country is unable to pay her establishments; second, That her constitution is incompetent to provide for her security. He attempts to warrant his first, by a statement affecting to prove, that in three years, if she was to continue without an Union, we shall owe £50,000,000. He states, that we borrow annually £8,000,000; he should have stated, that we borrow but £4,000,000; whatever capital we may create on each loan, he should have stated how much less we should borrow on the adoption of an Union. He should have stated, that the projectors of the Union only proffered the payment of £1,000,000 of our war establishment; that the present year was provided for; that the saving in the two following years of war will be, according to this proffer, but £2,000,000, and the purchase of boroughs will be £1,500,000. He should have stated further, that our war contribution was rated at £4,400,000, and that our present war expense was only £4,652,000, so that the proffer appears fallacious; and if we be unable to support our present war expense, we will be unable to support our war contribution; and the reader will observe, the present war expense is an occasional war establishment, principally caused by insurrection, whereas the war contribution will in all probability be a permanent war contribution,

except as far as it may be augmented.* But there is an answer to his argument which is more decisive, it is his own argument in 1798, which is as follows: "First, as to the adequacy of the constitution for the purpose of security and connexion, next for that of wealth and prosperity.

"A parliament, perfectly distinct from and independent of the other parliament, forms a system the most critical and complicated; to a common observer, utterly impracticable; but experience has proved, that in the midst of popular turbulence, and in the convulsion of rancorous and violent party contests, the Irish Parliament, as it is now constituted, is fully competent to all political and beneficial purposes of government; that it is fully competent to protect this, which is the weaker country, against encroachment, and to save the empire from dissolution, by maintaining the constitutional connexion of Ireland with the British crown." Here is the refutation of his second great argument, published by himself. Hear him conquer himself in his pamphlet of 1798—here (page 5) he writes as follows: "There is not a nation in the habitable globe which has advanced in cultivation and commerce, in agriculture and manufactures, with the same rapidity in the same period;"—speaking of Ireland since the constitution of 1782, viz., for the last twenty years.

Here we add nothing, but that the author has been, by his own account, recommending an Union for these eight years; he has been, according to his own account, betraying, for these eight years, the constitution in her councils, in the very moments of his panegyric.

On this important discovery let others expatiate; to us it is more material to observe on his work, where it sets up our history against our constitution, and the annals of the parliament against its legislative capacity. To establish this, he has thought it prudent to advert to four periods in which the greatest questions were successfully discussed, and the legislative abilities were triumphantly displayed.

This pamphlet quotes the period of 1753, and relates, that a question regarding a surplus in the treasury was then started, to try the strength of two factions; which, in its consequence, transmitted a spirit that afterwards degraded the parliament; what, when, or where, this parliamentary degradation appeared, we are at a loss to discover; this is not history, nor comment, nor fact, but it is a garbling of history to establish a conclusion the opposite of that which the history itself would administer; the principle then determined, the importance of

* *Vide* Lord Farnham's excellent pamphlet, and his judicious speech on the Union.

that principle, the abilities displayed on the discussion of it, the real effect of both on the public mind, have escaped the pen of the historian; from that pen you would collect, that Mr. Malone and Mr. Pery were nothing more than two prize-fighters, embattled in the cause of faction, under two great state criminals, the Primate and Lord Shannon; that they agitated a matter of no moment; but that they propagated sedition of great moment and fatal consequences to the next generation.

Having thus disposed of the parliament, and the characters of fifty-three (without the vexation of any study, or sordid obligation to fact), the pamphlet proceeds to dispose of the character of the House of Commons and the principal gentlemen of the country for fifteen years after. It had before represented them as incendiaries, it here represents them as plunderers; it sets forth, that, under the pretext of public improvement, the Commons plundered the country; and that their parliament, to pay their parliamentary following, plundered the treasury, until they imposed on the crown the necessity of resorting for supply to parliament; which the author most pathetically bemoans, and which he seems to think the only great grievance of the country.

Having given this history of parliament, from 1753 to 1768, it advances to the administration of Lord Townshend, in which it seems to recollect nothing but the noise of opposition.

The pamphlet of 1798, in the name of the author, had observed, that from the revolution of 1782, the system adopted by those in whom the power resided (they were those, among others, whom he had just been pleased to reprobate as incendiaries and plunderers), went to cement the connexion which had so long subsisted between Great Britain and Ireland, to their mutual advantage; the pamphlet of 1800 is pleased to observe, that the precedent of their government was fatal; and that a system was formed on it that would beat down any nation on earth; accordingly it states, that the English government opened their eyes, shook, indeed, the aristocracy, but generated a race of political adventurers, full of noise and indecorum. I think I have heard spruce authority as petulent and indecorous as young ambition.

The attempts of the court to pack a parliament at that period, the increase of the establishment for that purpose, the great abilities displayed, the altered Money Bill, protests, prorogation, in short, the history of the period, once more escape this historian. The learned author now approaches the year 1779; the expedition of his march is very great, and very liberally does he leave untouched everything behind him; he is arrived; and here he scarcely is stricken with any-

thing worthy of his history, save only the weakness of Lord Buckinghamshire in arraying the volunteers, and the illiberality of the nation in demanding a free trade; the pamphlet commends the volunteers of that period; and yet I think I remember a young barrister going forth in his cock-boat, and scolding the waves of that ocean, and the waves regarded him not.* Certainly the volunteers did take a most decisive part in the political and commercial question of that day. Well, he has done with the year 1779; whatever he had to say on the great questions then discussed, and on that most pregnant period, in a few lines he has said it; history is nothing in his hands; in his account of the Parliament of Ireland for thirty years, the learned author has five ideas, and those are all false; faction in 1753; plunder till 1768; then noise of opposition; then the weakness of government; then the ungenerous proceedings of parliament; and as he before condemned your efforts to recover your trade with oblique censure, so now he condemns your efforts to recover your constitution with direct animadversion; he calls the settlement of 1782 the separation of a colony from Great Britain; bold adulation of England this; the alleged author of the pamphlet was in parliament the 16th of April, 1782; he made no objection to the separation; he was in parliament the 27th May, 1782: he made no objection to the separation: he wrote me a letter of congratulation at that time on the success of that settlement, he did not there mention this separation. Reading this publication now, and in the society of the two other pamphlets of the same name, every Irishman feels himself less a gentleman and more a slave. The pamphlet, in its oblique censure, and in its direct animadversion, disparages every great act, and every distinguished character in this country, for the last fifty years.

Mr. Malone, Lord Pery, late Lord Shannon, Duke of Leinster, the Mr. Ponsonbys, Mr. Brownlow, Sir William Osborne, Mr. Burgh, Mr. Daly, Mr. Yelverton, Mr. Ogle, Mr. Flood, Mr. Forbes, Lord Charlemont, and myself. I follow the author through the graves of these honourable dead men, for most of them are so; and I beg to raise up their tomb-stones, as he throws them down. I feel it more instructive to converse with their ashes, than with his compositions.

Mr. Malone, one of the characters of 1753, was a man of the finest intellect that any country ever produced. "The three ablest men I have ever heard, were Mr. Pitt (the father), Mr. Murray, and Mr. Malone; for a popular assembly I would choose Mr. Pitt, for a privy

* Alluding to Mr. Fitzgibbon's speech in 1780, when he termed the proceedings of the volunteers "riot, clamour, and the production of a giddy faction."

council, Murray; for twelve wise men, Malone." This was the opinion which Lord Sackville, the secretary of 1753, gave of Mr. Malone to a gentleman from whom I heard it. "He is a great sea in a calm," said Mr. Gerrard Hamilton, another great judge of men and talents; "ay," it was replied, "but had you seen him when he was young, you would have said he was a great sea in a storm." And, like the sea, whether in calm or storm, he was a great production of nature.

Lord Pery, he is not yet canonized by death; but he, like the rest, has been canonized by slander. He was more or less a party in all those measures which the pamphlet condemns: and, indeed, in every great statute and measure that took place in Ireland the last fifty years; a man of the most legislative capacity I ever knew, and the most comprehensive reach of understanding I ever saw; with a deep engraven impression of public care, accompanied by a temper which was tranquillity itself, and a personal firmness that was adamant; in his train is every private virtue that can adorn human nature.

Mr. Brownlow, Sir William Osborne, I wish we had more of these criminals; the former seconded the address of 1782; and in the latter, and in both, there was a station of mind that would have become the proudest senate in Europe.

Mr. Flood, my rival, as the pamphlet calls him, and I should be unworthy the character of his rival, if in his grave I did not do him justice, he had faults; but he had great powers, great public effect; he persuaded the old, he inspired the young; the Castle vanished before him; on a small subject he was miserable; put into his hand a distaff, and, like Hercules, he made sad work of it; but give him the thunderbolt, and he had the arm of a Jupiter; he misjudged when he transferred himself to the English Parliament; he forgot that he was a tree of the forest, too old, and too great to be transplanted at fifty; and his seat in the British Parliament is a caution to the friends of union to stay at home, and make the country of their birth the seat of their action.

Mr. Burgh, another great person in those scenes, which it is not in the little quill of this author to depress. He was a man singularly gifted, with great talent, great variety, wit, oratory, and logic; he, too, had weakness; but he had the pride of genius also, and strove to raise his country along with himself, and never sought to build his elevation on the degradation of Ireland.

I moved an amendment for a free export; he moved a better amendment, and he lost his place. I moved a declaration of right; "with

my last breath will I support the right of the Irish Parliament," was his letter to me, when I applied to him for his support. He lost the chance of recovering his place, and his way to the seals, for which he might have bartered. The gates of promotion were shut on him, as those of glory opened.

Mr. Daly, my beloved friend; he, in a great measure drew the address of 1779, in favour of our trade—that "ungracious measure;" and he saw, read, and approved of the address of 1782, in favour of constitution; that address of "separation." He visited me in my illness, at that moment, and I had communication on those subjects, with that man, whose powers of oratory were next to perfection; and whose powers of understanding, I might say, from what has lately happened, bordered on the spirit of prophecy.*

Mr. Forbes, a name I shall ever regard, and a death I shall ever deplore; enlightened, sensible, laborious, and useful; proud in poverty, and patriotic, he preferred exile to apostacy, and met his death. I speak of the dead, I say nothing of the living; but I attribute to this constellation of men, in a great measure, the privileges of your country; and I attribute such a generation of men to the residence of your parliament.

The ministers of the crown, who, in the times related by the pamphlet, did the king's business, were respectable and able men; they supported sometimes acts of power, but they never, by any shocking declaration, outraged the constitution; they adjusted themselves to the idea of liberty, even when they might have offended against the principle, and always kept on terms of decency with the people and their privileges. Least of all, did they indulge in a termagant vulgarity, debasing, to a plebeian level, courts and senates, and courting Irish infamy on a speculation of British promotion.

In the list of injured characters I beg leave to say a few words for the good and gracious Earl of Charlemont; an attack, not only on his measures, but on his representative, makes his vindication seasonable. Formed to unite aristocracy and the people, with the manners of a court and the principles of a patriot, with the flame of liberty, and the love of order; unassailable to the approaches of power, of profit, or of titles, he annexed to the love of freedom, a veneration for order; and cast on the crowd that followed him, the gracious light of his own accomplishments; so that the very rabble grew civilized as it approached his person. For years did he preside over a great army,

* This alludes to a private anecdote of Lord Clare and Mr. Daly, respecting the conduct likely to be pursued by the former in case a Union was proposed.

without pay or reward; and he helped to accomplish a great revolution without a drop of blood.

Let slaves utter their slander, and bark at glory which is conferred by the people; his name will stand. And when their clay shall be gathered to the dirt to which they belong, his monument, whether in marble, or in the hearts of his countrymen, shall be resorted to as a subject of sorrow, and an excitation to virtue.

Should the author of the pamphlet pray, he could not ask for his son a greater blessing than to resemble the good Earl of Charlemont; nor could that son repay that blessing by any act of gratitude more filial, than by committing to the flames his father's publications.

I have attempted to vindicate the dead, let us now vindicate the parliament. The question of 1753 was the beginning, in this country, of that constitutional spirit which asserted afterwards the privilege of the Commons, and guarded and husbanded the essential right of a free constitution. The question was of its very essence; but the effect spread beyond the question, and the ability of the debate instructed the nation, and made her not only tenacious of her rights, but proud of her understanding. There might have been party—there might have been faction—mixing with a great public principle; so it was in the time of ship money; so it was in the Revolution. In these instances the private motive mixed with the public cause; but still it was the cause of the public and the cause of liberty. In great moral operations, as well as in the great operations of nature, there is always a degree of waste and overflow; so it is with the sea. Shall we therefore pronounce the ocean a nuisance? Thus, afterward, in the time which the pamphlet describes as the period of plunder, there was a spirit of private jobbing, mixing with the spirit of public improvement; but that spirit of public improvement, and the commencement and birth of public care, was there also, and so continued, from the time of the sagacious Lord Pery, to the period of Mr. Foster and his wise regulations.

In the history of parliament, I observe the learned historian omits her laws; the corn law, the octennial bill, the tenantry bill; he has not only forgotten *our* history but *his own*, and most impartially contradicts what is written by himself as well as others. "No nation in the habitable globe, in cultivation, in commerce, in agriculture, in manufacture, has advanced in the same rapidity within the same period;" says the pamphlet of 1798, in the name of our author (page 5). "A settlement so complete and satisfactory, as to render the revival of political or constitutional questions utterly impossible;" so said the same pamphlet (page 9), speaking of the settlement of 1782. "A parliament (speaking of the Irish Parliament), fully competent to all prac-

to look, I suppose, for whatever is by him suffered to remain unlevelled of profound wisdom, liberal policy, comprehensive system; the true principle of government and of a free constitution; leaf after leaf, and period after period, have I turned them over; the author will show in what part of these poor things those great maxims are to be discovered; to mere mortal eyes these publications seem to be a system of political, moral, and intellectual levelling; scurrilous in themselves, they betray a native genuine horror of anything like genius, liberty, or the people; great audacity of assertion; great thrift of argument; a turn to be offensive, without a power to be severe—fury in the temper, and famine in the phrase.

I find, and lament to find, in those levelling publications the following sentiments: That Ireland is a British colony, and that to demand a free constitution, was to separate from Britain; that Ireland may prudently submit to legislation without representation; that Ireland had no parliamentary constitution till the time of James the First; that the creation of the dependency of the crown for supply on the Commons, was a pernicious precedent; that the remedy for our present free constitution, and the only security for the connexion, was to put in the place of the British Parliament the commanding influence of the British cabinet over the Irish legislature. Couple this with a declaration, that half a million had been resorted to some years back to buy the Commons of Ireland; couple that with the declarations continued in this pamphlet, that, for the last seven years, a noble minister of the crown had perseveringly recommended the abolition of the Irish Parliament, and an union in its place; couple all this together, and the result of the pamphlet will be the most complete and ample justification and penegyric of that opposition, who for a course of years have, with honest perseverance, reprobated that minister's administration. I will not say it is a justification of rebellion, but it is the best defence I have seen; it amounts to a direct charge, for those last fifty years, on the aristocracy, and on the Commons, of faction, of plunder, of breaches with England, and of acts of separation; and it particularly condemns the parliament for those very measures on which she must rest her credit and authority with the people; and further, it charges, that before any rebel was in the country, a leading minister in the cabinet was himself, and has been for eight years, a secret adviser against the parliamentary constitution of Ireland, of course against the fundamental laws of the land; to such a work, containing three fabrications, four capital departures from matter of fact, together with the disparagement of his country, and of almost every honest public character for the last fifty years, I do not think it necessary to say more.

I conclude, therefore, by repeating what I have already solemnly declared, that

It is not fact that we excited the Catholics.

It is not fact that we persecuted the Catholics.

It is not fact that we adopted the Catholic measures after the place bill and pension bill had passed, and in quest of new matter of opposition.

It is not fact that I ever declared or wrote that the adjustment of 1782 emanated from Dungannon.

It is not fact that I ever compared the parliament that accomplished that adjustment to the parliament of 1613.

It is not fact that I ever declared that the Catholic would be most powerful if these nations were separated.

It is not fact that I ever abandoned to popularity the draft of a bill for vesting in the Parliament of England a power of imperial legislature.

It is not fact that I ever saw, agreed to, or heard of any such draft.

It is not fact that I ever agreed to an alliance with any English party, to oppose any plan of national concord.

It is not fact that I ever entered into any alliance, offensive and defensive, with them, however I might esteem their persons, and prefer their principles.

Here are ten assertions made by the author; *he is publicly called upon to establish them.*

I have said thus much to defend my country and myself in opposition to this publication, that takes the name of a minister who has the support of the governments of both countries, and with respect to whom I have no advantage, except the cause, my own personal superiority, and another recommendation which I possess in common with almost every honest subject in Ireland, and with the Irish nation herself, the advantage which the calumniated has over the calumniator. I might avail myself of many more vulnerable parts in those publications, and press the supposed author personally, as he has pressed others; but, considering his situation more than he has done himself, I consign him to judges more severe than I could be, and to him the most awful, and, on this side the grave, the most tremendous—HIS COUNTRY AND HIS CONSCIENCE! *

* This was singularly prophetic. After the Union, Lord Clare repented of his conduct, and I have heard a near relative of his delcare, that in his latter days he bitterly reproached himself for the part he had taken in that measure.—*Note by the Editor of Grattan's Mis. Works.*

THE END.

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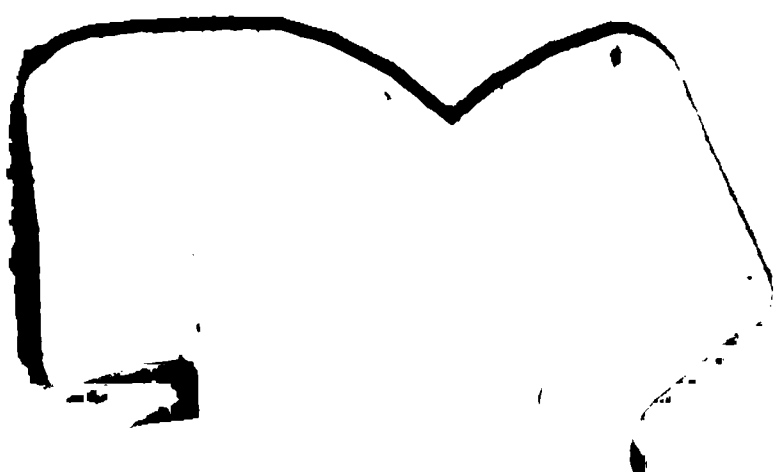
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